



# *The Calendar* of the *House of Representatives*

Speaker Allan G. Bense

Speaker pro tempore Leslie Waters

Week 9 –Day 57

Tuesday, May 2, 2006

**The House will convene on Tuesday, May 2, 2006 at 10:00 AM**

These are the times reserved for committee meetings, but committees do not necessarily meet. See detailed meeting notices.

<i>Monday</i> <i>Day 56</i> <i>May 1, 2006</i>	<i>Tuesday</i> <i>Day 57</i> <i>May 2, 2006</i>	<i>Wednesday</i> <i>Day 58</i> <i>May 3, 2006</i>	<i>Thursday</i> <i>Day 59</i> <i>May 4, 2006</i>	<i>Friday</i> <i>Day 60</i> <i>May 5, 2006</i>
Meeting Notice Due April 28, 2006	Meeting Notice Due May 1, 2006	Meeting Notice Due May 2, 2006	Meeting Notice Due May 3, 2006	Meeting Notice Due May 4, 2006
11:30 – 5:00 SESSION	10:00 – 5:00 SESSION	9:00 – 5:00 SESSION	9:00 – 5:00 SESSION	TBA SESSION
5:15 or AT THE CALL OF THE CHAIR Group F Rules & Calendar Council 404H	5:45 or AT THE CALL OF THE CHAIR Group F Rules & Calendar Council 404H			SINE DIE 2 <sup>nd</sup> AMENDED

## IMPORTANT LEGISLATIVE DATES

### 2006

April 20	Last day for councils, committees, or subcommittees to meet after giving 2 days (excluding Saturday and Sunday) notice on bills (at least 1 day notice thereafter).	<i>45<sup>th</sup> Day [Rule 7.10(a)]</i>
April 20	Last day on which councils, committee, or subcommittee amendments shall be filed by 5 p.m., 1 day (excluding Saturday and Sunday) in advance of council, committee, or subcommittee meeting by nonappointed members (2 hours thereafter).	<i>45<sup>th</sup> Day [Rule 7.22(c)]</i>
April 20	After the 45 <sup>th</sup> day of a regular session, by a majority vote, the House may, on motion of the Chair or Vice Chair of the Rules & Calendar Council, move to Communications, Messages from the Senate, Bills and Joint Resolutions on Third Reading, or Special Orders.	<i>45<sup>th</sup> Day [Rule 10.2(d)]</i>
April 22	All bills transmitted to the Senate forthwith	<i>Last 14 Days [Rule 11.7(j)]</i>
April 25	Last day the Chair of any conference committee shall give notice at least 2 hours prior to meeting; after the 50th day 1 hour notice of intention to meet.	<i>50<sup>th</sup> Day [Rule 7.24(b)]</i>
April 30	Last day that main floor amendments must be approved for filing with the Clerk by 2 p.m. of the first day a bill appears on the Special Order Calendar in the Calendar of the House; and amendments to main floor amendments and substitute amendments for main floor amendments must be approved for filing by 5 p.m. of the same day.	<i>55<sup>th</sup> Day [Rule 12.2(a)(1&amp;2)]</i>
April 30	Last day of the regular session for the Special Order Calendar to be published in two Calendars of the House and maybe taken up on the day of the second published Calendar. After the 55 <sup>th</sup> day of the regular session, the Special Order Calendar shall be published in one Calendar of the House and may be taken up on the day the Calendar is published.	<i>55<sup>th</sup> Day [Rule 10.11(a) (3)]</i>
May 1	A Senate bill may be referred by the Speaker to a council or to a committee and its council and such other committees as are deemed appropriate, after the 55 <sup>th</sup> day of a session.	<i>56<sup>th</sup> Day [Rule 6.3 (h)]</i>
May 1	After the 55 <sup>th</sup> day of regular session no House bills on second reading may be taken up and considered by the House.	<i>56<sup>th</sup> Day [Rule 10.17]</i>
May 1	After the 55 <sup>th</sup> day of regular session main floor amendments must be approved for filing with the Clerk not later than 2 hours before session is scheduled to convene on the day a bill appears on the Special Order Calendar in the Calendar of the House; and amendments to main floor amendments and substitute amendments must be approved for filing not later than 1 hour after the main floor amendment deadline.	<i>56<sup>th</sup> Day [Rule 12.2(b) (1&amp;2)]</i>
May 3	After the 58 <sup>th</sup> calendar day of regular session, the House may consider only: Senate Messages, Conference Reports, Concurrent Resolutions.	<i>Last 2 Days [Rule 10.18]</i>
<b>May 5</b>	<b>Last day of Regular Session, if Legislature completes work in 60 days</b>	

Assistive Listening Devices (ALDs) are provided in all House of Representatives meeting facilities. Persons with hearing disabilities may call the Property & Inventory Division of the Sergeant at Arms Office, 488-0235, for an auxiliary transmitting device if one is needed.

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## COUNCIL & COMMITTEE MEETINGS

PURSUANT TO RULE 7.4 (B), ITEMS MAY NOT NECESSARILY BE TAKEN UP IN THE ORDER IN WHICH  
THEY APPEAR ON THE AGENDA.

**Tuesday, May 2, 2006**

**Rules & Calendar Council**

5:45 PM - 6:00 PM OR AT THE CALL OF THE CHAIR 404 HOB  
(AMENDED[1])

To set Special Order.  
Adopt Consent Calendar Procedures

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1. Call to Order
2. Prayer
3. Roll Call
4. Pledge of Allegiance
5. Correction of the Journal
6. Communications
7. Messages from the Senate
8. Reports of Councils and Standing Committees
9. Reports of Select Committees
10. Motions Relating to Council and Committee References
11. Matters on Reconsideration
12. Bills and Joint Resolutions on Third Reading

BILLS AND JOINT RESOLUTIONS ON THIRD READING

**HB 127 by Hays, Ambler, Antone, Arza, Homan, Sansom, Zapata** (Compare SB 1160, CS/SB 2688)

**Immunizations;** Requires the Department of Education to include parental information regarding school entry requirements and recommended immunization schedules in the guidelines for a parent guide; specifies that each school district develop and disseminate a parent guide that provides certain health information, including a recommended immunization schedule and information regarding meningococcal disease; requires the governing authority of each private school to provide certain health information, including a recommended immunization schedule and information regarding meningococcal disease. Effective Date: July 1, 2006.

Read second time April 24

**HJR 447 by Pickens, Hasner, Stargel, Arza, Baxley, Cannon, Carroll, Harrell, Hays, Kottkamp, Kreegel, Legg, Murzin, Proctor, Reagan, Sansom, Zapata** (Similar CS/SJR 1150, Compare HJR 467, HJR 727, HJR 1573 CS, HB 7087, CS/CS/SJR 2170)

**Requiring 65 Percent of School Funding for Classroom Instruction; Flexible Class Size Reduction Implementation;** Proposes an amendment to s. 1, Art. IX of the State Constitution to provide that funding for high quality public K-12 education through classroom instruction is fundamental; to provide that to make

adequate provision for a high quality public K-12 education, at least 65 percent of school funding received by school districts shall be spent on classroom instruction rather than on administration; to provide that classroom instruction and administration shall be defined by law; to provide flexibility for school districts in meeting class size reduction requirements by calculating compliance at a school district average number of students who are assigned to a teacher in specified grades; to specify the maximum number of students who may be assigned to one teacher in an individual class; to require implementation of the class size reduction requirements by the beginning of the 2009-2010 school year and for each school year thereafter; and to exempt virtual classes from the class size requirements. Read second time April 26

**HB 1171 by Rivera, Allen, Arza, Attkisson, Bogdanoff, Bowen, Cannon, Clarke, Cretul, Davis, D., Davis, M., Flores, Goldstein, Grant, Harrell, Hasner, Hays, Kravitz, Kreegel, Llorente, Lopez-Cantera, Murzin, Planas, Sansom, Stargel, Troutman, Waters, Williams, Zapata** (Similar SB 2434)

**Travel to Terrorist States;** Prohibits the use of funds from the Community College Program Fund, or funds made available to community colleges from outside the fund, to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; prohibits the use of state or nonstate funds made available to state universities to implement, organize, direct, coordinate, or administer activities related to or involving travel to a

terrorist state; provides that travel expenses of public officers or employees for the purpose of implementing, organizing, directing, coordinating, or administering activities related to or involving travel to a terrorist state shall not be allowed under any circumstances; defines "terrorist state." Effective Date: July 1, 2006.

Read second time April 26

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**HB 817 by Murzin, Farkas, Hasner, Legg, Littlefield** (Compare HB 1191 CS, CS/CS/SB 142, CS/SB 1544)

**Telecommunications Services;** Provides that a local exchange telecommunications company obligated to serve as the carrier of last resort is not obligated to provide basic local telecommunications service to customers in a multitenant business or residential property; requires the local exchange telecommunications company to notify the Public Service Commission when it is relieved of the obligation to provide service; provides for the local exchange telecommunications company to request a waiver of its carrier of last resort obligation from the commission; provides for carrier of last resort obligation to apply when specified conditions cease to exist; allows certain local exchange telecommunications companies to publish terms, conditions, and rates for nonbasic services in lieu of maintaining tariffs; provides for guidelines for the publication; revises the notice requirement for price changes to nonbasic services; removes a provision that allows a company to elect that its basic services be subject to the same regulatory treatment as its nonbasic services; provides for a request from a company to the commission to make certain reductions in its retail service quality requirements; revises criteria for granting a petition to change regulatory treatment of retail services. Effective Date: July 1, 2006.

Read second time and amended April 27

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**HB 1347 by Williams, Clarke, Davis, M., Grant, Grimsley, Harrell, Kreegel, Mayfield, Rivera, Sansom, Stansel** (Compare CS/CS/SB 1226, CS/CS/SB 2102)

**Land Management;** Creates the Babcock Ranch Preserve Act; creates the Babcock Ranch Preserve, a conservation acquisition with certain goals; creates Babcock Ranch, Inc., a not-for-profit corporation to be incorporated in the state; provides that the corporation shall act as an instrumentality of the state for purposes of sovereign immunity under s. 768.28, F.S., but shall not be an agency under s. 20.03, F.S., or a unit or entity of state government; provides that the corporation is subject to the provisions of chs. 119 and 286, F.S., relating to public records and meetings; requires public records and meetings; provides for the corporation to be governed by a board of directors; provides for the qualifications, appointment, removal, and liability of board members and their terms of office; prohibits any board member from voting on any measure that constitutes a conflict of interest; provides for the board members to serve without compensation, but to receive per diem and travel expenses; provides for organization and meetings; authorizes state agencies to provide state employees for purposes of implementing the Babcock Ranch Preserve; provides certain powers and duties of the corporation; provides limitations on the powers and duties of the corporation; provides that the corporation and its subsidiaries must provide equal employment opportunities; provides for the corporation to establish and manage an operating fund; requires an annual financial audit of the accounts and records of the corporation; requires annual reports by the corporation to the Board of Trustees of the Internal Improvement Trust Fund, the Legislature, the Department of Agriculture and Consumer Services,

and the Fish and Wildlife Conservation Commission; requires that the corporation prepare an annual budget; specifies a goal of financially self-sustaining operation within a certain period; provides for the corporation to retain donations and other moneys; requires that the corporation adopt articles of incorporation and bylaws subject to the approval of the Board of Trustees of the Internal Improvement Trust Fund; authorizes the corporation to appoint advisory committees; provides requirements for a comprehensive business plan; specifies the procedures by which the corporation shall assume the management and operation of the Babcock Ranch Preserve; prohibits the corporation from taking certain actions without the consent of the Board of Trustees of the Internal Improvement Trust Fund; requires that the corporation be subject to certain state laws and rules governing the procurement of commodities and services; authorizes the corporation to assess reasonable fees; provides for management of the Babcock Ranch Preserve until expiration of a current management agreement; provides for reversion of the management and operation responsibilities to certain agencies upon the dissolution of the corporation; provides that the corporation may be dissolved only by an act of the Legislature; provides for reversion of funds upon the dissolution of the corporation; provides for an appropriation subject to specified conditions. Effective Date: upon becoming a law.

Read second time and amended April 28

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**HB 431 by Littlefield, Hasner, Murzin** (Similar CS/CS/SB 980)

**Electric Transmission and Distribution;** Provides criteria and procedures relating to approval by local governments of applications for installation of electric substations; provides requirements relating to vegetation-maintenance activities by an electric utility; requires electric utilities to notify the regional planning council of plans to site electric substations; requires electric substation siting information be included in the regional planning council's annual report and supplied to local governments under certain conditions. Effective Date: upon becoming a law.

Read second time April 28

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**HB 7167 by Growth Management Committee, Johnson** (Compare HB 1485 CS, HB 7253, CS/CS/SB 1858, CS/SB 2480)

**Growth Management;** Revises a definition; provides a requirement on the makeup of the Century Commission for a Sustainable Florida; deletes an annual appropriation from the State Transportation Trust Fund for State Infrastructure Bank purposes; revises provisions relating to sources of appropriations to the Public Education Capital Outlay and Debt Service Trust Fund to delete an annual appropriation to the Classroom for Kids Program, etc. Effective Date: July 1, 2006.

Read second time and amended April 28

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**HB 1527 by Stargel, Ambler, Arza, Baxley, Traviesa, Troutman**

**Parental Notification of Termination of a Minor's Pregnancy;** Provides procedural requirements for actual notice given by telephone; provides procedural requirements for certain waivers of notice; revises the procedures for judicial waiver of notice; revises evidentiary standards for a court determining judicial waiver of notice; provides factors with which a court determines whether a minor is sufficiently mature; revises the best interest standard; requires the Supreme Court to include in reports reasons for judicial

waiver of notice; provides for the application of mandatory child abuse reporting provisions. Effective Date: July 1, 2006.

Read second time April 28

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**HB 675 by Pickens** (Similar CS/SB 1190)

**Sale or Lease of a County, District, or Municipal Hospital;** Provides conditions under which the sale of a public hospital by a public agency to a private corporation or other private entity is considered a complete sale of the public agency's interest in the hospital; provides construction; provides legislative findings; provides applicability. Effective Date: upon becoming a law

Read second time and amended April 28

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**HB 1199 by Traviesa, Ambler, Barreiro, Baxley, Bowen, Brown, Brutus, Bullard, Evers, Galvano, Gibson, A., Gibson, H., Goldstein, Hays, Holloway, Johnson, Kreegel, Legg, Littlefield, Machek, Mahon, Mayfield, McInvale, Meadows, Murzin, Patterson, Proctor, Rice, Rivera, Robaina, Ross, Stansel, Taylor** (Compare CS/SB 900)

**Statewide Cable Television Franchises;** Authorizes citation as the "Consumer Choice Act of 2006"; prohibits counties and municipalities from negotiating terms and conditions relating to cable services; deletes authorization to negotiate; revises application to existing ordinances and franchise agreements; deletes authorization for counties and municipalities to award cable service franchises and a restriction that cable service companies not operate without such a franchise; requires state authorization to provide cable services and competitive video programming services; provides requirements and procedures; provides for fees; provides duties and responsibilities of the Department of State; provides application procedures and requirements; provides for issuing certificates of franchise authority; provides eligibility requirements and criteria for a certificate; authorizes the department to adopt rules; provides for an application form; provides for fees; prohibits the department from imposing taxes, fees, or charges on a cable service provider to issue a certificate; prohibits imposing buildout requirements on a certificateholder; requires certificateholders to make cable service available at specified public building; imposes customer service requirements on certificateholders; requires the Department of Agriculture and Consumer Services to receive customer service complaints; requires provision of public, educational, and governmental access channels or capacity equivalent; provides criteria, requirements, and procedures; provides exceptions; provides responsibilities of municipalities and counties relating to such channels; provides for enforcement; requires certificateholders to pay a portion of monthly revenues to municipalities or counties for a specified period of time; provides for continuing such payments pursuant to local government approval; authorizes continued payments to be itemized; provides criteria for such payments; provides requirements for and limitations on counties and municipalities relating to access to public right-of-way; prohibits counties and municipalities from imposing additional requirements on certificateholders; authorizes counties and municipalities to require permits of certificateholders relating to public right-of-way; provides permit criteria and requirements; prohibits discrimination between cable service subscribers; provides for enforcement; provides for determinations of violations; provides for enforcement of compliance by certificateholders; provides for applicability of other laws; requires the Office of Program Policy Analysis and Government Accountability to report to the Legislature on the status of competition in the

cable service industry; provides severability; repeals provisions relating to definitions and minimum standards for cable television franchises imposed upon counties and municipalities. Effective Date: July 1, 2006.

Read second time April 28

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**HB 217 by Legg, Anderson, Bilirakis, Carroll, Flores, Homan, Kreegel, Robaina, Russell, Traviesa, Williams** (Similar CS/SB 286, Compare CS/CS/SB 1980)

**Sinkhole Insurance;** Allows a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defines the term "professional engineer"; revises references to certain engineers; authorizes insurers to make direct payment for certain repairs; excludes insurers from liability for repairs under certain circumstances; eliminates the requirement for certain testing compliance; revises requirements for sinkhole reports by professional engineers and professional geologists; provides for the recording of sinkhole reports by the clerk of court rather than the property appraiser; prescribes an alternative method for resolving disputed sinkhole insurance claims; provides definitions; prescribes procedures for invoking the alternative method; provides that a recommendation by a neutral evaluator is not binding on any party; provides for payments of costs; requires the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; provides that an insurer is not liable for attorney's fees or for certain damages under certain conditions; prohibits certain solicitations by contractors and other persons providing sinkhole remediation services; provides penalties; requires the Office of Insurance Regulation to calculate a certain presumed factor on residential property insurance rates; provides requirements and procedures for determining such calculation; requires the office to provide notice of such rate factor to insurers; requires insurers to include such rate factor in certain rate filings; provides appropriations and authorizes additional positions and salary rates. Effective Date: July 1, 2006.

Read second time and amended April 28

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**HB 457 by Sands, Bullard, Goldstein, Seiler** (Similar CS/CS/SB 472, Compare CS/SB 474, CS/SB 476)

**Guardianship;** Revises provisions relating to identification information provided by professional guardians for registration; provides that in the event of death, the surviving parent is the sole natural guardian of a minor; increases the time an emergency temporary guardian may serve; provides procedures for completing a guardian's criminal history record check; provides that a guardian may designate a surrogate guardian to exercise the powers of the guardian if the guardian is unavailable to act; revises provisions relating to removal of a guardian who is not a family member; requires a public guardian to ensure that each of his or her wards is personally visited at least quarterly, etc. Effective Date: July 1, 2006.

Read second time and amended April 28

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**HB 459 by Sands** (Similar CS/SB 474, Compare CS/CS/SB 472)

**Public Records;** Creates an exemption from public records requirements for identifying information of persons making a donation of funds or property to the direct-support organization of the Statewide Public Guardianship Office; provides for review and repeal under the Open Government Sunset Review Act; provides a

statement of public necessity. Effective Date: July 1, 2006, if House Bill 457, or similar legislation revising provisions relating to the Statewide Public Guardianship Office, is adopted in the same legislative session or an extension thereof and becomes law.

Read second time April 28

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**HB 841 by Attkisson, Stargel** (Similar CS/SB 2250)

**Supersedes Bond;** Limits the amount of supersedeas bond required for certain appellants; provides that a party may move the court to reduce the supersedeas bond; provides an exception to limits if an appellant engages in certain conduct for the purpose of avoiding payment of the judgment. Effective Date: July 1, 2006, and shall apply to judgments rendered on or after that date.

Read second time and amended April 28

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**HB 771 by Carroll, Altman, Goldstein** (Identical CS/SB 1630, Compare HB 1619)

**Cosmetology;** Redefines "cosmetology" to include hair technician, esthetician, and nail technician services; includes body wrapping within esthetician services; removes a distinction between specialty salons and other salons; authorizes licensure for hair technicians, estheticians, nail technicians, and cosmetologists; provides for cosmetology internships; provides a fee cap for internship sponsors, etc. Effective Date: January 1, 2007.

Read second time and amended April 28

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**HB 7253 by Growth Management Committee, Johnson** (Compare HB 683, HB 7077 CS, HB 7167, CS/CS/SB 1020, CS/CS/SB 1858)

**Growth Management;** Specifies limitations on challenges to certain changes in a 5-year schedule of capital improvements; requires local governments and the Department of Transportation to establish a plan for maintaining certain level-of-service standards; provides requirements for the waiver for such built-out municipalities; provides a requirement on the makeup of the Century Commission for a Sustainable Florida; requires the Department of Transportation to conduct a study of per-trip fees on certain transportation facilities for certain purposes, etc. Effective Date: July 1, 2006.

Read second time and amended April 28

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**HB 999 by Adams, Attkisson, Homan** (Similar CS/SB 1876)

**Suicide Prevention;** Provides for a pilot program to be conducted by the Signs of Suicide Prevention Program for secondary schools in specified counties; requires the submission of proposals to the Department of Education; provides for student participation and provision of certain information to parents and legal guardians; requires a report to the Legislature; requires that implementation of the program be contingent upon state funding and equivalent matching funds. Effective Date: July 1, 2006.

Read second time April 28

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**HB 241 by Vana, Bucher, Fields, Holloway, Homan, Joyner, Kendrick, Machek, Porth, Roberson, Sobel, Taylor** (Identical SB 972, Compare HB 1365)

**Florida KidCare Program;** Provides for certain children who are ineligible to participate in the Florida KidCare program to be eligible for the Medikids program or the Florida Healthy Kids program; requires that the Agency for Health Care Administration begin enrollment under the revised program criteria by a specified date. Effective Date: July 1, 2006.

Read second time April 28

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**HB 173 by Ross, Brown, Patterson, Reagan, Troutman, Williams** (Compare HB 517, SB 682)

**Construction Contracts;** Specifies acceptance of certain insurance provisions of a construction contract under certain circumstances; provides exceptions; prohibits certain actions after acceptance of such provisions; authorizes contractors or subcontractors to reject certain accepted construction contract insurance provisions as nonconforming under certain circumstances; authorizes such contractors and subcontractors to withhold payment for work performed or materials supplied under certain circumstances; prohibits rejecting certain policies of insurance on certain grounds; prohibits certain persons from requiring workers' compensation policies to be issued by certain entities under certain circumstances, etc. Effective Date: October 1, 2006.

Read second time and amended April 28

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**HB 7117 by Criminal Justice Committee, Kravitz, Dean, Allen, Harrell, Traviesa** (Compare CS/CS/CS/SB 2280, SB 2512)

**Sexual Predators and Offenders;** Requires distinctive markings for driver's licenses and identification cards issued to persons who are designated as sexual predators or subject to registration as sexual offenders; provides procedures for offenders to obtain such licenses or identification cards; provides for initial issuance; prohibits the alteration of sexual predator or sexual offender markings on driver's licenses or identification cards; provides criminal penalties; requires sexual predators and sexual offenders to obtain a distinctive driver's license or identification card; requires specified offenders who are under the supervision of the Department of Corrections but are not incarcerated to obtain a distinctive driver's license or identification card; revises provisions relating to background screening of school district personnel; revises provisions relating to fingerprints; provides procedures for periodic rescreening of certain personnel; revises provisions relating to background screenings of certain noninstructional school district employees and other specified individuals; revises provisions relating to periodic rescreening of certain persons; provides definitions; prohibits contract workers who are designated as sexual predators, subject to registration as a sexual offenders, or who appear on the National Sex Offender Public Registry from being present on school grounds; provides criminal penalties; requires contract workers working on school grounds to be subject to a check of Florida driver's licenses or identification cards for the purposes of ascertaining their sexual offender and sexual predator status and checked against the National Sex Offender Public Registry; provides duties for certain contract workers; provides penalties; requires certain individuals to report certain offenses; provides penalties; provides exceptions; provides that no provision of a specified section shall give rise to private civil liability or create

a private cause of action for monetary damages; provides rulemaking authority to school boards; revises provisions relating to background screening for educator certification; revises provisions relating to periodic rescreening of such persons; provides an appropriation. Effective Date: July 1, 2006.

Read second time and amended April 28

**HB 7079 by Transportation Committee, Evers, Hasner, Slosberg** (Similar CS/CS/SB 1742, Compare HB 267 CS, HB 281, HB 975, HB 997 CS, HB 1077, HB 1589, SB 268, SB 1518, SB 1672, SB 1852, CS/SB 2336, SB 2658, CS/SB 2682)

**Department of Highway Safety and Motor Vehicles;** Revises requirements for motor carriers to retain certain records as required by the Department of Highway Safety and Motor Vehicles for tax purposes; limits liability of state agencies, water management districts, counties, and municipalities, and officers and employees thereof; directs the department to study outsourcing of its driver license services to a provider or other governmental agency, in whole or in part, while retaining responsibility and accountability for the services, etc. Effective Date: upon this act becoming a law, this act shall take effect October 1, 2006.

Read second time and amended April 28

**HB 221 by Richardson, Brutus, Domino, Joyner, Kendrick, Meadows, Smith, Stargel, Zapata** (Similar CS/CS/SB 438)

**Paternity;** Permits a petition to set aside a determination of paternity or terminate a child support obligation; specifies contents of the petition; provides standards upon which relief shall be granted; provides remedies; provides that child support obligations shall not be suspended while a petition is pending; provides for scientific testing; provides for the amendment of the child's birth certificate; provides for assessment of costs and attorney's fees; repeals Rule 1.540, Florida Rule of Civil Procedure, relating to relief from judgment, decrees, or orders. Effective Date: July 1,

2006, except that section 2 of this act shall take effect only if this act is passed by a two-thirds vote of the membership of each house of the Legislature.

Read second time April 28

**HB 1037 by Rivera, Bogdanoff, Glorioso, Goldstein, Homan, Sansom, Williams** (Similar SB 2156)

**Campaign Financing;** Allows unopposed legislative candidates to transfer surplus campaign funds to or retain such funds in a campaign account for reelection to the same office; establishes limits on the transferable amount of such funds; provides a prohibition from fundraising under certain conditions. Effective Date: July 1, 2006.

Read second time and amended April 28

**HB 715 by Grimsley, Proctor** (Similar CS/CS/SB 1532, Compare CS/SB 1846)

**Hospital Licensing and Regulation;** Prohibits licensing of additional emergency departments located off the premises of licensed hospitals until the Agency for Health Care Administration adopts rules; requires the agency to adopt rules by a specified date to establish licensure standards for emergency departments located off the premises of a licensed hospital; repeals the Trauma Services Trust Fund; revises provisions relating to distribution of funds to trauma centers and use thereof; establishes a trauma center startup grant program; provides conditions for the receipt of a startup grant; provides limitations; makes the trauma startup grant program subject to an appropriation. Effective Date: July 1, 2006, except that section 395.41, Florida Statutes, as created by this act, shall take effect subject to an appropriation for the trauma center startup grant program in the 2006-2007 General Appropriations Act.

Read second time April 28

### 13. Special Orders

#### SPECIAL ORDER CALENDAR FOR TUESDAY, MAY 02, 2006

(As Reported by the Rules and Calendar Council on Monday, May 01, 2006)

##### I. Consideration of the following bills:

「 **CS for SB 122 by Education Appropriations, Fasano, Lynn, Atwater** (Similar HB 373 CS) 」

**Tuition Waivers/Purple Heart;** requires state universities & community colleges to waive tuition for recipient of Purple Heart or other combat decoration superior in precedence who fulfills specified criteria; provides percentage cap on number of required credit hours for which tuition waiver may be received. Amends 1009.26. Effective Date: 07/01/2006

Calendar without reference

**HB 373 CS by Harrell, Baxley, Cretul, Davis, D., Greenstein, Kendrick, Proctor, Waters, Zapata** (Similar CS/SB 122)

**Tuition Waivers;** Requires state universities and community colleges to waive tuition for a recipient of a Purple Heart or other

combat decoration superior in precedence who fulfills specified criteria; provides a percentage cap on the number of required credit hours for which a tuition waiver may be received. Effective Date: July 1, 2006.

Military & Veteran Affairs Committee: Favorable; Community Colleges & Workforce Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable 」

「 **CS for CS for SB 250 by Justice Appropriations, Judiciary, Margolis, King, Smith, Rich, Campbell, Saunders, Haridopolos, Aronberg, Wilson, Crist** (Similar HB 469 CS) 」

**Prosecution of Human Trafficking;** defines term "financial harm"; redefines term "forced labor or services" to include circumstances involving use of fraud or coercion against person, use of certain debt practices, & destruction, concealing, or



withholding of person's ID documents; expands definition of term "criminal activity" to include offense of human & sex trafficking for purposes of seeking civil remedies for criminal offenses, etc. Amends FS. Effective Date: 10/01/2006

Calendar without reference

**HB 469 CS by Gannon, Altman, Bucher, Bullard, Davis, M., Glorioso, Gottlieb, Hasner, Joyner, Justice, Meadows, Porth, Robaina, Roberson, Sobel, Vana, Zapata** (Similar CS/CS/SB 250)

**Prosecution of Human Trafficking;** Provides legislative findings and intent; defines the term "financial harm"; redefines the term "forced labor or services" to include circumstances involving the use of fraud or coercion against a person, the use of certain debt practices, and the destruction, concealing, or withholding of a person's identification documents; provides for attempted human trafficking to be an equal crime to human trafficking; prohibits knowingly benefiting financially or receiving anything of value from human trafficking when the trafficked person engages in forced labor or services; requires the Florida Court Educational Council to develop specified instructional standards for certain judges concerning human trafficking; requires the Criminal Justice Standards and Training Commission to establish specified standards concerning human trafficking; requires basic skills courses for law enforcement officers to include training on human trafficking prevention and investigation; requires state attorneys to develop standards of instruction for prosecutors concerning human trafficking crimes; expands the definition of the term "criminal activity" to include the offense of human trafficking and the offense of sex trafficking for purposes of seeking civil remedies for criminal offenses; revises a civil cause of action relating to injuries by reason of criminal activity; provides for alternative damages for violations relating to sex trafficking and human trafficking; redefines the term "racketeering activity" to include the offense of human trafficking for purposes of the Florida RICO Act; adds prosecution of human trafficking and related crimes to subject matter jurisdiction of a statewide prosecutor. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Future of Florida's Families Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**SB 266 by Fasano** (Similar HB 569 CS)

**Athletic Trainers/Licensure;** revises requirements for licensure as athletic trainer; provides that person employed as apprentice trainer or athletic trainer is not exempt from specified provisions; deletes classification of first responder in school district's athletic injuries prevention & treatment program; requires that athletic trainer employed by school district be licensed as athletic trainer, etc. Amends 468.707, .711, .723, 1012.46. Effective Date: Upon becoming law

Calendar without reference

**HB 569 CS by Kreegel, Sands** (Similar SB 266)

**Athletic Trainers;** Revises the requirements for licensure as an athletic trainer; revises the criteria for continuing education in athletic training; provides that a person employed as an apprentice

trainer or athletic trainer is not exempt from part XIII of ch. 468, F.S.; deletes the classification of first responder in a school district's athletic injuries prevention and treatment program; requires that an athletic trainer employed by a school district be licensed as an athletic trainer; deletes a requirement that such person possess certain certification as an educator. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**SB 692 by Webster, Fasano, Wilson** (Similar HB 29 CS)

**Sales Tax/School Supplies & Clothing;** specifies period during which sale of books, clothing, & school supplies is exempt from tax on sales, use, & other transactions; provides definitions; provides exceptions; authorizes DOR to adopt rules. Effective Date: 07/01/2006

Calendar without reference

**HB 29 CS by Sansom, Allen, Altman, Benson, Carroll, Glorioso, Goldstein, Grimsley, Hasner, Legg, McInvale, Needelman, Reagan, Sands, Stargel, Troutman, Waters, Williams, Zapata** (Similar SB 692)

**Tax on Sales, Use, and Other Transactions;** Specifies a period during which sales of books, clothing, and school supplies are exempt from such tax; provides exceptions; authorizes the Department of Revenue to adopt rules; provides an appropriation. Effective Date: July 1, 2006.

Finance & Tax Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute

**SB 704 by Alexander** (Identical HB 361 CS)

**ATM Transaction Charges;** authorizes operator of automated teller machine to charge access fee or surcharge for transactions using accounts from certain financial institutions. Creates 655.966. Effective Date: 07/01/2006

Calendar without reference

**HB 361 CS by Carroll** (Identical SB 704)

**Automated Teller Machine Transaction Charges;** Authorizes the operator of an automated teller machine to charge an access fee or surcharge for transactions using accounts from certain financial institutions. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Tourism Committee: Favorable; Commerce Council: Favorable

「 **CS for SB 1086 by Governmental Oversight and Productivity, Jones, Lawson, Campbell, Aronberg** (Identical HB 19 CS, Compare HB 639, HB 741 CS, HB 769 CS, HB 873, CS/SB 876, SB 1348, SB 1604, SB 1606, CS/SB 1616, SB 1636, SB 1764)

**Building Designations;** (THIS BILL COMBINES S1086 & S1604) designates building located at Univ. of South Florida St. Petersburg as "H. William Heller Hall"; designates building in Lee Co. as Joseph P. D'Alessandro Office Complex; designates John M. McKay Visitors Pavilion at John & Mabel Ringling Museum of Art at Florida State Univ. Center for Cultural Arts; designates Multipurpose Classroom Building Number 46 at University of North Florida as "Hodges Stadium", etc. Effective Date: 07/01/2006 except as otherwise provided

Calendar without reference

**HB 19 CS by Justice, Brandenburg, Galvano, Homan, Richardson, Waters** (Identical CS/SB 1086, Compare HB 639, HB 741 CS, HB 769 CS, HB 873, CS/SB 876, SB 1348, SB 1604, SB 1606, CS/SB 1616, SB 1636, SB 1764)

**Building and Facility Designations;** Provides for the designation of university buildings and other facilities; provides for the erection of markers. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable  
With Committee Substitute

「 **SB 1282 by Carlton, Bullard, Bennett, Baker, Diaz de la Portilla, Constantine, Fasano, Webster, King, Posey, Haridopolos** (Similar HB 7039)

**K-8 Virtual School Program;** establishes said program within DOE; authorizes participating schools to be for-profit or nonprofit entities; requires that instructional personnel have Florida teaching certificates; requires education plans to conform to Sunshine State Standards; requires school applicants to provide 3-year financial plan; requires participating schools to provide each student with equipment, materials, & services necessary to receive instruction, etc. Effective Date: Upon becoming law

Calendar without reference

**HB 7039 by Choice & Innovation Committee, Stargel** (Similar SB 1282)

**K-8 Virtual Schools;** Establishes the K-8 Virtual School Program within the Department of Education; provides student eligibility requirements; requires enrolled students to meet compulsory school attendance requirements and participate in the statewide assessment program; provides school eligibility requirements; provides a school application procedure and requires applicants to verify certain information and submit certain plans; provides for 3-year contracts for approved schools and authorizes contract renewals; designates participating schools as independent schools; authorizes the current pilot K-8 virtual schools to continue operation through the 2006-2007 school year; requires pilot schools to meet all application requirements in order to operate beyond the 2006-2007 school year; requires program funding to be established annually in the General Appropriations Act; requires schools to participate in the statewide assessment program and be subject to

the school grading system; requires school improvement plans for low-performing schools and contract termination for continued low school performance; provides causes for nonrenewal or termination and responsibility for debt; provides for student enrollment in another public school under certain circumstances. Effective Date: July 1, 2006.

Education Appropriations Committee: Favorable; Education Council: Favorable

「 **CS for CS for SB 1322 by Criminal Justice, Regulated Industries, King, Klein, Wise** (Similar HB 1049 CS)

**Driver's License Penalties/Alcohol;** provides additional penalty for providing alcoholic beverages to person under age of 21; authorizes court to withhold issuance of, or suspend or revoke, driver's license of certain persons who provide alcoholic beverages to persons under age of 21. Amends 562.11; creates 322.057. Effective Date: 10/01/2006

Calendar without reference

**HB 1049 CS by Traviesa, Culp, Hays, Patterson** (Similar CS/CS/SB 1322)

**Driver's Licenses;** Provides for suspension or withholding of issuance of the driver license or driving privilege of certain persons convicted of providing an alcoholic beverage to a person who has not attained 21 years of age. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Judiciary Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

「 **CS for SB 1506 by Banking and Insurance, Alexander** (Similar HB 1329 CS)

**Insurance/Electronic Statements;** amends specified provisions re viatical settlement providers, premium finance companies, & continuing care providers to authorize Financial Services Commission to require by rule that certain statements or filings be submitted by electronic means in certain format; authorizes Office of Insurance Regulation to require that certain records or copies be submitted by remote electronic access. Amends 626.9913, 99175, 627.836, 628.281, 651.026, .0261. Effective Date: Upon becoming law

Calendar without reference

**HB 1329 CS by Grant** (Similar CS/SB 1506)

**Information Specified Insurers Must File;** Specifies a beginning date for submission of a required annual statement by viatical settlement providers; specifies required information; specifies a period of application of an unaudited financial statement; specifies administrative action for failing to timely file an audited financial statement; authorizes the Financial Services Commission to require by rule that specified statements or filings be submitted by electronic means in a format specified by the commission; authorizes the Office of Insurance Regulation to require that

specified records or copies be submitted by remote electronic access. Effective Date: upon becoming a law.

Insurance Committee: Favorable With Committee Substitute;  
Commerce Council: Favorable With Committee Substitute

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**CS for SB 1540 by Regulated Industries, Baker** (Similar HB 1397, Compare HB 685 CS, CS/CS/SB 926)

**Veterinary Drug Distribution;** provides that drug is adulterated if it is certain prescription drug that has been returned by veterinarian to limited prescription drug veterinary wholesaler; requires said wholesaler to obtain permit for operation from DOH; provides that permit for said wholesaler may not be issued to address of certain health care entities; requires dept. to inspect each said wholesaler establishment, etc. Amends Ch. 499. Effective Date: 07/01/2006

Calendar without reference

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**HB 685 CS by Coley, Cretul, Gannon, Homan, Kreegel, Machek, Murzin, Roberson** (Identical CS/CS/SB 926, Compare HB 1397, CS/SB 1540)

**Drug Distribution;** Requires the Department of Health to approve a document or electronic form relating to pedigree papers; provides requirements for pedigree papers that record certain distributions of legend drugs; revises a prohibition relating to pedigree papers; provides that a drug is adulterated if it is a certain prescription drug that has been returned by a veterinarian to a limited prescription drug veterinary wholesaler; requires a limited prescription drug veterinary wholesaler to obtain a permit for operation from the Department of Health; provides that a permit for a limited prescription drug veterinary wholesaler may not be issued to the address of certain health care entities; revises permit requirements for a veterinary prescription drug wholesaler that distributes prescription drugs; establishes a permit for a limited prescription drug veterinary wholesaler; provides requirements; provides an exception; requires certain wholesale distributors taking title to a prescription drug to provide an invoice to the purchaser containing certain information; requires a purchaser of a prescription drug to obtain from the manufacturer a shipping document containing specified information; requires a manufacturer to make certain information available to the department; authorizes the department to adopt certain rules relating to the inventory and return of certain prescription drugs; redefines the term "veterinary legend drug retail establishment"; requires the department to assess an annual fee within a certain monetary range for a limited prescription drug veterinary wholesaler permit; requires the department to inspect each limited prescription drug veterinary wholesaler establishment; authorizes the department to determine that a limited prescription drug veterinary wholesaler establishment is an imminent danger to the public; provides for emergency suspension of a permittee if charged with specified violations; requires the department to publish a list of certain permittee names; prohibits issuance of permits to specified applicants; requires revocation of permits of specified permittees. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Agriculture Committee: Favorable; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

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┌ **CS for CS for SB 1556 by Judiciary, Regulated Industries, Geller** (Similar HB 543 CS) ┐

**Condominiums;** substantially revises provisions re termination of condominium form of ownership of property; provides grounds for termination; waives certain notice requirements following natural disasters; provides requirements for plan of termination; provides procedure for contesting plan of termination; provides rules for distribution of property & sale proceeds; allows creation of another condominium by trustee, etc. Amends 718.117. Effective Date: 07/01/2006

Calendar without reference

**HB 543 CS by Goodlette, Stargel** (Similar CS/CS/SB 1556)

**Condominiums;** Substantially revises provisions relating to the termination of the condominium form of ownership of a property; provides legislative findings; provides grounds; provides powers and duties of the board of administration of the association; waives certain notice requirements following natural disasters; provides lienholders with the right to propose persons for consideration by the court as receiver; requires quarterly reports; authorizes certain unit owners to remove members of the board of administration; authorizes certain lienors to petition the court for the appointment of a termination trustee; provides requirements for a plan of termination; provides for the allocation of proceeds from the sale of condominium property; provides powers and duties of a termination trustee; provides notice requirements; provides a procedure for contesting a plan of termination; provides rules for the distribution of property and sale proceeds; provides for the association's status following termination; allows the creation of another condominium by the trustee; specifies an exception. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute;  
Business Regulation Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

┌ **CS for CS for SB 2060 by Community Affairs, Regulated Industries, Clary** (Similar HB 1135 CS, HB 1611, Compare SB 2652) ┐

**Architecture & Interior Design;** defines term "responsible supervising control"; authorizes Board of Architecture & Interior Design to adopt certain rules; authorizes certain architects to use title "Architect, Retired"; authorizes certain interior designers to use title "Interior Designer, Retired". Amends 481.203,.205,.223. Effective Date: 07/01/2006

Calendar without reference

**HB 1135 CS by Hukill, Altman, Bucher, Carroll, Flores, Gannon, Gibson, A., Goldstein, Lopez-Cantera, Murzin, Proctor, Reagan, Traviesa, Williams, Zapata** (Similar HB 1611, CS/CS/SB 2060, Compare SB 2652)

**Practice of Architecture and Interior Design;** Defines "responsible supervising control"; authorizes the Board of Architecture and Interior Design to adopt certain rules relating to responsible supervising control; authorizes certain architects to use the title "Architect, Retired" and certain interior designers to use the title "Interior Designer, Retired." Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable With Committee Substitute

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**CS for CS for SB 994 by General Government Appropriations, Agriculture, Alexander** (Compare HB 7159 CS)

**Citrus Canker;** provides that certain lands are classified as agricultural lands for duration of certain successor programs; requires DOACS to implement citrus health plan for certain purposes; makes it unlawful to propagate certain citrus nursery stock on or after January 1, 2007, at sites & under certain conditions not approved by DOACS; authorizes department to submit budget amendment & provides requirements therefor, etc. Amends FS. Effective Date: 07/01/2006

Calendar without reference

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**HB 7159 CS by Agriculture Committee, Poppell, Troutman, Vana** (Compare CS/CS/SB 994)

**Agriculture;** Revises criteria for agricultural lands taken out of production by any state or federal eradication or quarantine program; requires the Department of Agriculture and Consumer Services to implement a citrus health plan for certain purposes; eliminates the authority of the department to remove and destroy certain citrus trees; deletes definitions and provisions relates to immediate final orders, notice to property owners, rulemaking authority, and the posting of certain orders, to conform; requires certain law enforcement officers to maintain order under certain circumstances involving the citrus canker disease management process; makes it unlawful to propagate certain citrus nursery stock on or after January 1, 2007, at sites and under certain conditions not approved by the department; provides exceptions; provides rulemaking authority; specifies regulation of certain varieties of citrus plants; provides exceptions; requires the department to establish certain regulated areas around commercial citrus nurseries; provides exceptions; provides for notice to property owners by immediate final order prior to removal of certain citrus trees; provides an appeal process for an immediate final order; provides for preemption to the state to regulate the removal and destruction of certain citrus plants; requires the department to relocate certain trees to certain locations; requires certain compensation claims to be filed by December 31, 2007; provides for the expiration of compensation claims not filed prior to January 1, 2008; provides for payment of claims by specified funds; provides for future repeal. Effective Date: upon becoming a law.

Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

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**CS for CS for SB 2728 by Transportation and Economic Development Appropriations, Commerce and Consumer Services, Fasano, Lynn** (Compare HB 1283 CS, HB 1285, HB 7213)

**Innovation Incentive Program;** expands definition of qualified project for Capital Investment Tax Credit; provides additional requirements for Enterprise Florida, Inc., in evaluating proposed projects; creates Innovation Incentive Program with Tourism, Trade, & Economic Development Office for certain purposes; requires Enterprise Fla., Inc. to assist office in validating certain

business performances, etc. Amends 220.191, 288.1088, 403.973; creates 288.1089. Effective Date: 07/01/2006

Calendar without reference

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**HB 1283 CS by Attkisson, Benson, Hasner** (Compare HB 7213, CS/SB 1136, CS/CS/SB 2728)

**Innovation Incentives;** Provides eligibility criteria for receipt of funds from the Quick Action Closing Fund; requires Enterprise Florida, Inc., to determine eligibility using specified criteria; provides for waiver of eligibility criteria; requires the Governor to provide evaluations of specified projects to the President of the Senate and the Speaker of the House of Representatives; creates within the Office of Tourism, Trade, and Economic Development the Innovation Incentive Program; provides for innovation incentive awards, subject to limitations; provides qualification requirements for review of applicants and projects by the office and Enterprise Florida, Inc.; provides proposal evaluation and recommendation requirements for Enterprise Florida, Inc.; authorizes the office to negotiate award amounts to applicants; provides negotiation requirements; requires the director of the office to make recommendations to the Governor for approval or disapproval of projects; provides recommendation requirements; requires consultation with the Legislature; provides for certification of applicants as qualified innovation businesses; provides for incentive payment agreements; requires Enterprise Florida, Inc., to assist the office in validating business performances; requires a report; requires Enterprise Florida, Inc., to establish business ethics standards; requires the standards to be reported to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requires incentive award agreements to require compliance with the standards; requires the office to review sites for projects funded under the program; provides an appropriation; provides for carrying forward unexpended balances of appropriations until a time certain; provides for office retention of obligated funds to be used for specified purposes; provides for reversion of unobligated funds. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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**CS for CS for SB 80 by Commerce and Consumer Services, Communications and Public Utilities, Aronberg, Lynn** (Similar HB 45 CS, Compare HB 7157)

**Electronic Mail;** requires certain governmental entities to post notice on their websites that electronic mail addresses sent to them are subject to release to public; provides that remedies & penalties under Electronic Mail Communications Act are cumulative; creates "Anti-Phishing Act"; prohibits certain acts re fraudulent use or possession of identifying information; authorizes Legal Affairs Dept. to adopt rules, etc. Amends Ch. 668; creates 668.701-.705. Effective Date: 07/01/2006

Calendar without reference

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**HB 45 CS by Porth, Bilirakis, Farkas, Hukill, Kreegel** (Similar CS/CS/SB 80, Compare HB 7157)

**Electronic Communication;** Requires certain governmental entities to post a notice on their websites that electronic mail

addresses sent to them are subject to release to the public; provides an exemption from criminal liability for certain carriers and equipment providers whose equipment transmits commercial electronic mail messages that violate a specified provision; provides that remedies and penalties under specified provisions are cumulative; provides criminal penalties; prohibits certain acts relating to fraudulent use or possession of identifying information; authorizes civil actions for violations; provides for injunctive relief and damages; authorizes courts to increase awards of actual damages; provides for recovery of attorney's fees and court costs; provides for jurisdiction and venue; provides for deposit of certain moneys received by the Attorney General; authorizes rulemaking; provides for nonapplication to certain entities' good faith handling of identifying information; specifies the absence of liability for certain actions taken to prevent certain violations; provides applicability. Effective Date: July 1, 2006, and shall apply to violations committed on or after that date.

Utilities & Telecommunications Committee: Favorable With Committee Substitute; Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable

#### SB 370 by Peaden (Similar HB 747 CS)

**Speech-language Pathology/Audiology;** revises requirements for DOH in issuing provisional license to practice speech-language pathology or audiology; revises licensing requirements for applicants who graduated, or who are currently enrolled, in speech-language pathology or audiology program at university located outside of U.S. or Canada; revises requirements for person to be certified as audiology assistant, etc. Amends 468.1155,.1165,.1185,.1215. Effective Date: 07/01/2006

Calendar without reference

#### HB 747 CS by Greenstein (Similar SB 370)

**Health Professionals Treating Speech or Hearing Disorders;** Revises requirements for the Department of Health in issuing a provisional license to practice speech-language pathology or audiology; revises licensing requirements for applicants who graduated or are currently enrolled in a speech-language pathology or audiology program at a university located outside of the United States or Canada; authorizes the Board of Speech-Language Pathology and Audiology to waive certain requirements for applicants who received professional education in another country under certain circumstances; revises requirements for applicants to obtain professional employment in order to be licensed by the department to practice speech-language pathology or audiology; revises requirements for the department to issue a license to an applicant to practice speech-language pathology or audiology; revises requirements for a person to be certified as an audiology assistant; requires an audiologist or speech-language pathologist to give an assistant a board-approved plan for training and to maintain responsibility for services performed by the assistant. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

#### SB 152 by Saunders (Identical HB 103 CS)

**Property Appraiser Assessments;** revises property appraisers' authority for inspecting real property for assessment purposes in addition to physical inspections; reduces required frequency of physical inspections. Amends 193.023. Effective Date: Upon becoming law

Calendar without reference

#### HB 103 CS by McInvale, Waters (Identical SB 152)

**Property Appraiser Assessments;** Revises property appraisers' authority for inspecting real property for assessment purposes in addition to physical inspections; reduces the required frequency of physical inspections. Effective Date: upon becoming a law.

Finance & Tax Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Fiscal Council: Favorable With Committee Substitute

#### CS for SB 730 by Criminal Justice, Lynn, Aronberg, Crist (Similar HB 367 CS, Compare SB 168)

**Jason A. Gucwa Act;** limits provision that exempts certain members of offender's family from being charged with offense of acting as accessory after fact to circumstances involving third-degree felony offenses; specifies additional actions that constitute being accessory after fact, for which penalties are provided. Amends 777.03. Effective Date: Upon becoming law

Calendar without reference

#### HB 367 CS by Carroll (Similar CS/SB 730, Compare SB 168)

**Accessories to a Crime;** Limits the provision that exempts certain members of an offender's family from being charged with the offense of acting as an accessory after the fact to circumstances involving third degree felony offenses; specifies additional actions that constitute being an accessory after the fact. Effective Date: upon becoming a law.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable

#### CS for CS for SB 428 by Ways and Means, Governmental Oversight and Productivity, Lawson, Smith, Fasano, Argenziano (Similar HCB 6001 CS, Compare HB 477)

**Travel Expenses/Reimbursement;** revises per diem, subsistence, & mileage rates for purposes of reimbursement of travel expenses of public officers, employees, & authorized persons. Amends 112.061. Effective Date: 07/01/2006

Calendar without reference

**HCB 6001** (for HBs 117, 477) **CS by Governmental Operations Committee, Coley, Ausley, Anderson, Attkisson, Kendrick, Kreegel, Machek, Mahon, Meador, Porth, Richardson, Seiler, Waters** (Similar CS/CS/SB 428, Compare HB 117, HB 477)

**Per Diem and Travel Expenses;** Revises per diem, subsistence, and mileage rates for purposes of reimbursement of travel expenses of public officers, employees, and authorized persons; provides an appropriation. Effective Date: July 1, 2006.

Fiscal Council: Favorable With Committee Substitute; State Administration Council: Favorable

**CS for SB 792 by Governmental Oversight and Productivity, Government Efficiency Appropriations** (Similar HB 7233 CS)

**DOR>Returns & Accounts Info./OGSR;** amends provision re exemption from public-records requirements for information contained in returns, accounts, or declarations received by DOR pursuant to Communications Services Tax Simplification provisions; makes organizational & grammatical changes; saves exemption from repeal under OGSR Act; deletes provisions that provide for repeal of exemption; conforms cross-references. Amends FS. Effective Date: 10/01/2006

Calendar without reference

**HB 7233 CS by Governmental Operations Committee, Rivera** (Similar CS/SB 792)

**Review under the Open Government Sunset Review Act regarding the Communications Services Tax Simplification Law;** Reorganizes and makes editorial changes to current provisions of the state revenue laws which provide an exemption from public records requirements for all information contained in returns, reports, accounts, or declarations received by the Department of Revenue, including investigative reports and information and letters of technical advice, under enumerated sections and chapters of the Florida Statutes; removes the scheduled repeal of the exemption from public records requirements for such information received by the department under the Communications Services Tax Simplification Law. Effective Date: October 1, 2006.

Finance & Tax Committee: Favorable With Committee Substitute; State Administration Council: Favorable

**CS for CS for SB 980 by Communications and Public Utilities, Community Affairs, Alexander** (Similar HB 431)

**Electric Transmission & Distribution;** defines term "distribution electric substation"; provides criteria for adoption & enforcement by local government of land development regulations for new electric substations; provides timeframe & procedures for local government to approve or deny application for electric substation; provides for supervision of vegetation maintenance & tree pruning or trimming activities, etc. Creates 163.3208, 3209, 186.0201; amends 186.513. Effective Date: Upon becoming law

Calendar without reference

**CS for CS for SB 1090 by General Government Appropriations, Environmental Preservation, Baker** (Compare HB 1063 CS)

**Water Well Contractors;** authorizes licensed water well contractors to facilitate performance of additional work incidental to construction, repair, or abandonment of water well; requires DEP to include administrative fee in its license-renewal method prescribed by rule; provides exemptions from continuing education requirements for water well contractors on active military duty & their spouses, etc. Amends 373.323, 324, 333. Effective Date: 07/01/2006

Calendar without reference

**HB 1063 CS by Stansel** (Compare CS/CS/SB 1090)

**Regulation of Wells;** Authorizes licensed water well contractors to facilitate work by certain licensed contractors under certain circumstances; provides a definition; requires the Department of Environmental Protection to establish by rule a fee to cover the cost of implementing the continuing education requirements; provides a maximum fee amount; authorizes the department to delegate certain authority to the water management districts; authorizes the department or a water management district to contract with a private entity to carry out certain responsibilities relating to continuing education; waives continuing education requirements for license renewal of certain water well contractors; provides water well contractor license extensions for certain servicemembers and their spouses under certain circumstances; provides for exemption from certain costs or fees under certain circumstances; increases the amount of the administrative fine a water management district may impose for certain water well contracting violations; provides fines for persons or entities drilling a water well without a license or contracting with unlicensed water well contractors for water well services; requires the department to establish policies and procedures for the enforcement of the fines. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable; Military & Veteran Affairs Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable

**CS for SB 1172 by Regulated Industries, Aronberg, Argenziano** (Similar HB 333 CS, HB 793)

**Dixie Cup Clary Local Control Act;** provides legislative findings & intent; creates pilot program that authorizes local governments to adopt ordinance establishing local exemption to certain provisions of general law & agency rules re public food service establishments in order to permit patrons' dogs at certain designated outdoor portions of such establishments; provides for implementation & enforcement procedures; provides for future review & repeal, etc. Creates 509.233. Effective Date: 07/01/2006

Calendar without reference

**HB 333 CS by McInvale, Clarke, Machek, Porth, Roberson, Troutman, Vana, Zapata** (Similar CS/SB 1172, Compare HB 793)

**Public Food Service Establishments;** Authorizes municipalities, as a 3-year pilot project, to adopt an ordinance to establish a local

exemption to certain general law relating to public food service establishments in order to permit patrons' dogs at certain designated outdoor portions of such establishments; provides for implementation and enforcement; provides legislative findings and intent; provides for state assistance; provides for future review and repeal. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable; Local Government Council: Favorable With Committee Substitute; Commerce Council: Favorable

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**SB 1284 by Fasano, Argenziano, Crist** (Compare HB 7053 CS)

**Nursing Home Consumer Information;** authorizes AHCA to provide electronic access to inspection reports from nursing homes in lieu of sending copies of reports; requires AHCA to provide certain info. to consumers; decreases number of months for which reported info. must be provided to consumers; requires AHCA to publish Nursing Home Guide Watch List in Nursing Home Guide; requires that watch list include certain days when facility had conditional license, etc. Amends 400.191. Effective Date: 10/01/2006

Calendar without reference

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**HB 7053 CS by Elder & Long-Term Care Committee, Gibson, H.** (Compare SB 1284)

**Nursing Home Consumer Information;** Authorizes the Agency for Health Care Administration to provide electronic access to nursing home inspection reports; requires the agency to publish the Nursing Home Guide in printed and electronic format at certain times and specifies information to be included therein; requires the agency to provide certain consumer information in the Nursing Home Guide; deletes reference to an obsolete reporting system; requires each nursing home facility to submit certain information electronically when electronic transmission to the agency is available. Effective Date: October 1, 2006.

Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

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**CS for SB 1350 by Transportation and Economic Development Appropriations, Sebesta** (Compare HB 1315 CS, HB 7077 CS)

**Dept. of Transportation;** revises matching requirements for revenue bonds issued for fixed-guideway transportation systems; amends notification requirements for construction contracts; revises requirements for surety bonds for certain construction projects; provides that toll agencies may enter into agreements to promote additional uses of electronic toll collection system, etc. Amends 215.615, 337.11, .14, .18, 338.161, .2275. Effective Date: 07/01/2006

Calendar without reference

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**HB 1315 CS by Russell, Waters** (Compare HB 301 CS, HB 1115, HB 7077 CS, CS/SB 1350, SB 2078, CS/SB 2632)

**Transportation;** Revises the maximum amount of bonds that are available for turnpike projects; provides for the imposition by countywide referendum of an additional surcharge on the lease or

rental of a motor vehicle; provides for the proceeds to be used for the construction and maintenance of state roads; revises provisions relating to the South Florida Regional Transportation Authority; provides pledge to bondholders that the state will not alter certain rights; revises provisions for funding of the authority. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Fiscal Council: Favorable; State Infrastructure Council: Favorable With Committee Substitute

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**CS for SB 1716 by Ways and Means, Atwater** (Identical HB 7181 CS)

**State Planning & Budgeting;** revises membership of Legislative Budget Commission; provides for appointment of presiding officers; creates Government Efficiency Task Force for purpose of recommending improvements to governmental operations & cost reductions; requires that task force meet at 4-year intervals beginning on specified date; requires legislative appropriations committees to prescribe format of budget expenditure reports, etc. Amends Chs. 11, 216, 29.0095, 100.371. Effective Date: Contingent

Calendar without reference

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**HB 7181 CS by State Administration Appropriations Committee, Berfield** (Identical CS/SB 1716)

**State Planning and Budgeting;** Revises the membership of the Legislative Budget Commission; provides for the appointment of presiding officers; revises requirements for meetings and a quorum; revises requirements for appointing the staff of the commission; requires the commission to review budget amendments recommended by the Governor or Chief Justice; authorizes the commission to perform other duties prescribed by the Legislature; creates the Government Efficiency Task Force for the purpose of recommending improvements to governmental operations and cost reductions; provides for the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint its members; requires that the task force meet at 4-year intervals beginning on a specified date; authorizes the task force to conduct meetings through teleconferences; provides for members to be reimbursed for per diem and travel expenses; requires the task force to complete its work within 1 year and report to the Legislative Budget Commission, the Governor, and the Chief Justice of the Supreme Court; requires the legislative appropriations committees to prescribe the format of budget expenditure reports; specifies that the Financial Impact Estimating Conference is within the legislative branch of government and under the direction of the President of the Senate and the Speaker of the House of Representatives; revises provisions governing public meetings of the conference; redefines the term "consultation" and defines the term "long-range financial outlook" for purposes of state fiscal affairs; provides requirements for the long-range financial outlook prepared by the Legislative Budget Commission; requires state agencies to provide certain information; prescribes authority of the commission with respect to such information; specifies timeframes for the commission in completing the long-range financial outlook; clarifies certain requirements for legislative budget instructions; requires that fiscal impact statements be provided to the Legislative Budget Commission in addition to the legislative appropriations committees; requires that such statements contain information concerning subsequent fiscal years; revises the date for the Governor's recommended budget to be furnished to the Legislature; authorizes the presiding officers of the Legislature to approve

submission of the Governor's recommended budget at a later date than otherwise required; extends the deadline for production of the final budget. Effective Date: upon the effective date of the amendment to the State Constitution contained in 2005 Senate Joint Resolution No. 2144, or a similar constitutional amendment, relating to the state budgeting, planning, and appropriations processes.

Fiscal Council: Favorable With Committee Substitute

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**CS for SB 2548 by Ways and Means, Carlton** (Compare HB 5003, HB 7077 CS, HB 7189 CS, SB 2702)

**State Financial Matters;** provides for moneys collected from sale of Florida Statutes or other publications to be deposited in specified trust fund; requires Chief Justice of Supreme Court to develop program monitoring plans; expands investment authority of state treasury; prescribes forms of payment that may be included in certain contracts involving State University System or Florida Community College System, etc. Amends FS. Effective Date: 07/01/2006 except as otherwise provided

Calendar without reference

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**HB 7189 CS by Finance & Tax Committee, Brummer** (Compare HB 5003, HB 7077 CS, CS/SB 2548, SB 2702)

**State Financial Matters;** Provides for the moneys collected from the sale of the Florida Statutes or other publications to be deposited in a specified trust fund; requires the Chief Justice of the Supreme Court to develop program monitoring plans; requires that additional data be included in the plans for monitoring major programs of state agencies and the judicial branch and in the reviews of those programs; provides for the Office of Program Policy Analysis and Government Accountability to review agency and judicial branch performance standards and report to the Governor, the Legislature, and the Legislative Budget Commission; revises the annual appropriation to a certain legislative contingency fund; revises a provision relating to certain undisbursed balances of appropriations from the Biomedical Research Trust Fund; requires that the Governor provide prior notice of transfers between certain funds; replaces references to a 6-digit fund code in the Florida Accounting Information Resource Subsystem with a classification scheme consistent with the Department of Financial Services' financial systems; revises a provision relating to the numbering of warrants issued by the Chief Financial Officer; replaces a reference to certain vouchers with the terms "invoice" or "invoices"; clarifies that agencies or the judicial branch record and approve certain invoices by a specified date; revises provisions relating to the Department of Financial Services' approval of payment of certain invoices; provides that failure of a vendor to submit the appropriate federal taxpayer identification documentation to the department shall be deemed an error on the part of the vendor; removes a reference to the appropriations act in a provision relating to the purposes of the Florida Single Audit Act; revises the definition of "operating capital outlay"; provides the Legislature certain authority relating to qualified expenditure category funds; defines the terms "incurred obligation" and "salary rate reserve" for purposes of state fiscal affairs, appropriations, and budgets; revises requirements for information regarding performance measures to be included in the long-range program plans of state agencies and the judicial branch; revises a provision relating to making adjustments to long-range program plans; revises certain requirements for legislative budget requests; deletes a provision requiring agencies to maintain a

certain performance accountability system and provide a list of performance measures; deletes a provision relating to adjustments to executive agency performance standards; deletes a provision relating to adjustments to judicial branch performance standards; provides for the responsibility of presiding over sessions of consensus estimating conferences; revises provisions relating to the principals of consensus estimating conferences; revises the duties of certain agencies relating to the Criminal Justice Estimating Conference, the Social Services Estimating Conference, and the Workforce Estimating Conference; clarifies the circumstances under which the Executive Office of the Governor and the Chief Justice of the Supreme Court are required to provide notice to the chair and vice chair of the Legislative Budget Commission; provides that amendments to certain approved operating budgets are subject to objection procedures; requires that state agencies submit to the chair and vice chair of the Legislative Budget Commission a plan for allocating any lump-sum appropriation in a budget amendment; provides requirements for the Governor and the Chief Financial Officer relating to certain approved operating budgets for the legislative branch and appropriations made to the legislative branch; revises certain requirements for the performance standards included in an amended operating budget plan and request submitted to the Legislative Budget Commission; requires that each state agency and the judicial branch maintain a performance accountability system; requires agencies and the judicial branch to submit specified information to the Executive Office of the Governor and the Legislature or the Office of Program Policy Analysis and Government Accountability for review; provides guidelines for requests to delete or amend existing approved performance measures and standards; specifies authority of the Legislature relating to agency and judicial branch performance measures and standards; prohibits an agency from providing salary increases or pay additives for certain positions without legislative authorization; provides that certain transfers between budget entities are subject to objection procedures; clarifies provisions authorizing certain transfers of appropriations from trust funds; provides that requirements of specified provisions relating to appropriations being nontransferable do not apply to legislative branch budgets; revises the requirements for undisbursed balances of appropriations; revises a procedure for identifying and paying incurred obligations; removes a provision relating to notification to retain certain balances from legislative budget entities; provides that a transfer of moneys with a budget amendment following a state of emergency is subject to approval by the Legislative Budget Commission; requires the Chief Financial Officer to establish certain requirements by rule relating to the recording and inventory of certain state-owned property; requires the Chief Financial Officer to establish by rule certain requirements relating to the capitalization of certain property; revises responsibility for rules relating to maintaining records as to disposition of state-owned tangible personal property; revises a provision relating to use of moneys received from the disposition of state-owned tangible personal property; requires the Chief Financial Officer to establish by rule requirements relating to the recording and inventory of certain property owned by local governments; revises requirements relating to unexpended funds appropriated or provided for the Florida Turnpike Enterprise; revises requirements relating to unexpended funds appropriated to the Florida School for the Deaf and the Blind. Effective Date: July 1, 2006.

Fiscal Council: Favorable With Committee Substitute



CS for CS for SB 2518 by Ways and Means, Governmental Oversight and Productivity, Argenziano (Similar HB 7185 CS, Compare HB 1235)

**Contractual Services/State Agency;** prohibits state agency from renewing or amending contract for outsourcing under certain conditions; requires that specified statement be included in procurements of commodities & services which prohibits contact between respondents & specified employees of executive & legislative branches; creates Fla. Efficient Govt. Act; defines "commercial activity" for purposes of provision authorizing release of social security numbers, etc. Amends FS. Effective Date: Upon becoming law

Calendar without reference

**HB 7185 CS by Governmental Operations Committee, Rivera** (Similar CS/CS/SB 2518, Compare HB 1235)

**Procurement of Contractual Services by a State Agency;** Revises provisions relating to procurement of contractual services by a state agency; prohibits a state agency from renewing or amending a contract for outsourcing under certain conditions; requires certain qualifications for persons chosen to conduct negotiations during specified procurements; requires the Department of Management Services to adopt rules governing those qualifications; requires that a specified statement be included in procurements of commodities and services which prohibits contact between respondents and specified employees of the executive and legislative branches; creates the Florida Efficient Government Act; provides legislative intent; provides that procurements of specified commodities and services are not subject to the act; provides definitions; creates the Council on Efficient Government within the Department of Management Services; provides the purpose and membership of the council; provides duties and responsibilities of the council; requires the council to review and issue advisory reports on certain state agency procurements; requires the department to employ adequate number of staff; requires the council to be headed by an executive director appointed by the Secretary of Management Services; requires state agencies to submit materials required by the council; provides requirements for certain business cases to outsource by a state agency; requires a state agency to develop a business case that describes and analyzes a contractual services procurement under consideration; provides that the business case is not subject to challenge or protest under the Administrative Procedure Act; provides required components of a business case; provides contract requirements for a proposed outsourcing; provides that a contract may not prohibit a contractor from lobbying the executive or legislative branches concerning specified contract issues, within specified time lines; requires that only public officers or employees shall perform certain functions; prohibits a contractor from participating in the procurement of contractual services by a state agency; repeals provisions which create the State Council on Competitive Government and provide duties and authority of the council; provides appropriations; provides that certain state agencies are subject to the act. Effective Date: upon becoming a law.

State Administration Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable With Committee Substitute

CS for SB 2000 by Ethics and Elections, Posey (Similar HB 493 CS, Compare CS/SB 1754)

**Ethics/Public Officers & Employees;** prohibits employees of state & its political subdivisions from participating in political campaign; prohibits certain disclosures or use by former public officer, agency employee, or local government attorney; clarifies that existing postemployment restrictions apply to certain agency employees; redefines term "expenditure" for purposes of provisions governing lobbying before Legislature, etc. Amends FS. Effective Date: 10/01/2006 except as otherwise provided

Calendar without reference

**HB 493 CS by Ryan** (Similar CS/SB 2000, Compare CS/SB 1754)

**Ethics for Public Officers and Employees;** Prohibits employees of the state and its political subdivisions from participating in a political campaign; prohibits certain disclosures by a former public officer, agency employee, or local government attorney; redefines the term "employee" to include certain other-personal-services employees for certain postemployment activities; exempts certain agency employees from applicability of postemployment restrictions; provides an exemption from provisions prohibiting conflicts in employment to a person who, after serving on an advisory board, files a statement with the Commission on Ethics relating to a bid or submission; specifies how assets valued in excess of a specified amount are to be reported by a reporting individual; requires that a delinquency notice be sent to certain officeholders by certified mail, return receipt requested; deletes provisions relating to the reporting of assets valued in excess of a specified amount, to conform; provides requirements for persons who have left office or employment as to filing a report relating to gifts; provides requirements relating to the deadline for and timeliness of gift reports; requires that a report of honoraria by a person who left office or employment be filed by a specified date; authorizes the commission to recommend a restitution penalty be paid to the agency of which the public officer was a member or by which the public employee was employed or to the General Revenue Fund; authorizes the Attorney General to recover costs for filing suit to collect penalties and fines; deletes provisions imposing a penalty for the disclosure of information concerning a complaint or an investigation; provides additional standards for state agency employees relating to procurement of goods and services by a state agency; authorizes an employee whose position was eliminated to engage in certain contractual activities; prohibits an individual who qualifies as a lobbyist from serving on the commission; prohibits a member of the commission from lobbying any state or local governmental entity; provides exceptions for certain individuals who are members of the commission; requires the commission to adopt a rule detailing the grounds for waiving a fine and the procedures to be followed when a lobbyist fails to timely file his or her report; requires automatic suspension of certain lobbyist registrations if the fine is not timely paid; requires the commission to provide written notice to any lobbyist whose registration is automatically suspended; authorizes travel and per diem expenses for certain witnesses; redefines the terms "official investigation" and "official proceeding," for purposes of provisions relating to tampering with witnesses, to include an investigation by the commission. Effective Date: October 1, 2006.

Ethics & Elections Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With

Committee Substitute; Fiscal Council: Favorable; State Administration Council: Favorable With Committee Substitute

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**SB 124 by Posey, Smith** (Identical HB 199)

**Sovereign Immunity/Law Enforcement;** provides that law enforcement agency is not liable for injury, death, or property damage effected or caused by person fleeing law enforcement officer under certain circumstances; provides for severability & application. Amends 768.28. Effective Date: Upon becoming law

Calendar without reference

**HB 199 by Patterson, Baxley, Homan, Machek, Murzin, Reagan** (Identical SB 124)

**Sovereign Immunity;** Provides that a law enforcement agency is not liable for injury, death, or property damage effected or caused by a person fleeing a law enforcement officer in certain circumstances. Effective Date: upon becoming a law and shall apply to causes of action that accrue on or after the effective date.

Claims Committee: Favorable; Justice Council: Favorable

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**SB 346 by Alexander** (Compare HB 141 CS)

**Workers' Comp./First Responders;** provides definition of term "first responder"; provides standard of proof for first responders with injury or disease caused by exposure to toxic substance; provides that any adverse result or complication re smallpox vaccinations is injury by accident arising out of employment for first responders; provides for continuation of permanent total supplemental benefits after age 62 for certain first responders, etc. Creates 112.1815. Effective Date: Upon becoming law

Calendar without reference

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**HB 141 CS by Adams, Allen, Arza, Barreiro, Baxley, Bendross-Mindingall, Berfield, Bilirakis, Brandenburg, Bullard, Cannon, Carroll, Clarke, Culp, Davis, M., Domino, Farkas, Fields, Flores, Galvano, Gannon, Garcia, Gelber, Gibson, A., Gibson, H., Goldstein, Grimsley, Harrell, Hays, Holloway, Hukill, Jennings, Jordan, Justice, Kendrick, Kreegel, Legg, Llorente, Lopez-Cantera, Machek, McInvale, Patterson, Planas, Porth, Proctor, Rice, Rivera, Robaina, Roberson, Sands, Sansom, Slosberg, Sobel, Stansel, Taylor, Traviesa, Vana, Williams, Zapata** (Compare SB 346)

**Workers' Compensation for First Reponders;** Provides a definition of the term "first responder"; provides a standard of proof for certain injuries and diseases in certain workers' compensation claims; provides that certain adverse results and complications are injuries by accident arising out of employment; provides for the continuation of permanent total supplemental benefits for certain first responders; provides a definition of the term "occupational disease"; provides legislative findings. Effective Date: October 1, 2006.

State Administration Appropriations Committee: Favorable; Domestic Security Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; Fiscal Council: Favorable

**CS for SB 460 by Transportation and Economic Development Appropriations, Wise, King** (Compare HB 385 CS)

**Specialty License Plates/Sales;** provides for proceeds from sale of Police Athletic League license plates to be distributed to State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizes use of portion of such fees for administrative & promotional cost; revises provisions governing distribution of proceeds from sale of motorcycle specialty license plates; revises amount & permissible uses of proceeds, etc. Amends 320.08058,.08068. Effective Date: 07/01/2006

Calendar without reference

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**HB 385 CS by Jordan** (Compare CS/SB 460)

**Specialty License Plates;** Provides for the proceeds from the sale of Police Athletic League license plates to be distributed to the State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizes the use of a portion of such fees for administrative and promotional cost; revises provisions for distribution of proceeds from the sale of motorcycle specialty license plates; requires a portion of the proceeds to be distributed to the Blind Services Foundation of Florida; revises amounts distributed and permissible uses of the proceeds. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

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**CS for CS for SB 1080 by Judiciary, Children and Families, Children and Families** (Similar HB 7123 CS)

**Child Protective Services;** revises definitions re child protective services; authorizes DCFS to adopt rules for sharing information contained in child's case plan with custodian & family services counselor; requires dept. to conduct criminal history records check of any person being considered as prospective foster parent; provides that court may review granting or denial of placement of child based upon criminal offense, etc. Amends Chs. 39, 63, 419, 435. Effective Date: 07/01/2006

Calendar without reference

**HB 7123 CS by Future of Florida's Families Committee, Galvano** (Similar CS/CS/SB 1080)

**Child Protective Services;** Provides rulemaking authority to the Department of Children and Family Services to provide certain information in a child's case plan to physical custodians and family services counselors; provides for time limitations and circumstances under which a continuance may be granted in child protective cases; provides that state laws do not supersede certain federal laws; requires the department to conduct criminal records checks of persons being considered as prospective foster parents; specifies information the criminal records checks may include; prohibits the department from placing a child with a person other than a parent under certain circumstances; requires persons with whom placement of a child is being considered or approved to disclose certain information; provides that a court may review the granting or denial of an exemption from disqualification to care for a dependent child; provides that a person seeking placement of a child who is disqualified bears the burden of providing evidence of rehabilitation; requires that any person who knows or suspects that

a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care must report this information to the central abuse hotline; redefines the term "criminal conduct" to include a child who is known or suspected to be a victim of human trafficking; requires each child protective investigator to inform the person who is the subject of a child protective investigation that he or she has a duty to report any change in the residence or location of the child to the investigator and that the duty to report continues until the investigation is closed; provides that the department may rely upon a previous report to indicate that child abuse has occurred; provides that if the child has moved to a different residence or location, a report may be filed with a law enforcement agency; requires that a shelter hearing order contain specified information relating to the availability of services to prevent removal from the home; requires notification of certain parties regarding case plan or family team conferences or mediation; provides a timeframe for the conference or mediation; requires a parent to provide certain information regarding relatives with whom a child may be placed; provides circumstances under which parental rights may be terminated and the child's out-of-home placement may become permanent; requires the court to inquire of the parents whether the parents have relatives who might be considered as a placement for the child; directs the court to advise the parents that, if the child is not returned to their custody within 12 months, their parental rights may be terminated and the child's out-of-home placement may become permanent; revises the content of an order of disposition issued by the court; requires the court to consider the continuity of the child's placement in the same out-of-home residence as a factor when determining the best interest of the child in a postdisposition proceeding to modify custody; provides procedures for drafting and implementing a case plan; requires certain face-to-face meetings; specifies contents of a case plan; requires the department to prepare a case plan for each child receiving services from the department; requires all parties, except the child, to sign the case plan; requires the case plan to provide documentation when the permanency goal for the child is adoption; requires the case plan to be filed with the court and copies to be provided to all parties; requires certain information to follow a child until permanency is achieved; provides for case plan tasks and services; requires a parent to complete certain tasks in order to receive certain services; provides for the content of case plans; provides for amendments to a case plan; describes the circumstances under which a case plan may be modified; requires certain information to be included in amendments to a case plan; requires copies to be distributed to specified parties; requires that case plans and amendments be approved by the court and that copies of the amended plan be provided to certain parties; requires a permanency hearing to be held within a specified timeframe; specifies permanency goals; provides prehearing procedures; directs the court to make certain findings at the permanency hearing; requires certain factors to be considered by the court in determining the permanency goal for the child; permits parents to make a motion for reunification or increased contact; provides that certain placements do not terminate the relationship between the parent and the child; provides for the permanent guardianship for a dependent child; authorizes the court to consider a permanent guardian as a long-term option for a dependent child; requires a written order; provides for the contents of the permanent guardianship order; exempts the permanent guardianship of a child from the requirements of ch. 744, F.S.; provides for the court to retain jurisdiction; provides that placement in permanent guardianship does not terminate the relationship between the parent and the child; provides circumstances for placement of a child with a fit and willing relative; requires the court to specify the reasons to place a child with a relative; requires the court to establish the relative's authority to care

for the child; provides for the department to supervise the placement for a specified time; requires the court to continue to conduct permanency hearings; authorizes the court to place a child in another planned permanent living arrangement; requires the department and guardian ad litem to provide the court with information regarding the needs of the child; requires the department to supervise the living arrangement until further court order and specifies how often a court must review a placement; requires that a child's current health, mental health, and education records be included in the documentation for the judicial review report; authorizes the court and citizen review panel to make certain determinations; provides for amendments to a case plan; removes a provision relating to the extension of a time limitation or the modification of terms of a case plan; requires the court to conduct a judicial review 6 months after the child is placed in shelter care; provides when the department may file a petition for termination of parental rights; provides circumstances under which the department may choose not to file a petition; provides for court review of a determination by the department not to file a petition; authorizes a material breach of the case plan as a ground to terminate parental rights; requires that the department show, and the court find, the material breach by clear and convincing evidence; provides certain factors for the court to consider for the best interest of the child. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

#### CS for SB 1212 by Governmental Oversight and Productivity, Agriculture, Agriculture (Identical HB 7209)

**Agriculture/OGSR;** amends provision re exemption from public-records requirements provided for individual agricultural records of processes, methods of production, & costs which are not otherwise public records & which are reported to DOACS; saves exemption from repeal under OGSR Act; deletes provisions providing for repeal of exemption. Amends 403.067. Effective Date: 10/01/2006

Calendar without reference

#### HB 7209 by Governmental Operations Committee, Rivera, Troutman (Identical CS/SB 1212)

**Review under the Open Government Sunset Review Act regarding the Total Maximum Daily Load Program for State Waters;** Removes the October 2, 2006, repeal scheduled under the Open Government Sunset Review Act for an exemption from public records requirements for specified agricultural records and financial information held by the Department of Agriculture and Consumer Services pursuant to pollution reduction measures established by the department; makes editorial changes. Effective Date: October 1, 2006.

Agriculture Committee: Favorable; State Administration Council: Favorable

#### CS for CS for SB 1286 by Health Care, Children and Families, Lynn (Similar HB 619 CS, Compare HB 7083 CS, SB 1850)

**Substance Abuse & Mental Health;** revises duties of Fla. Substance Abuse & Mental Health Corp.; requires corporation to

ensure provision of services that promote recovery & resiliency-based systems of care; requires that certain members appointed to corporation be primary consumers of mental health or substance abuse services or family members of primary consumers of such services; repeals s. 3 of ch. 2003-279, Laws of Florida, etc. Amends Ch. 394. Effective Date: Upon becoming law

Calendar without reference

**HB 619 CS by Gibson, H., Davis, M., Harrell, Porth, Sobel**  
(Similar CS/CS/SB 1286, Compare HB 7083 CS, SB 1850)

**Substance Abuse and Mental Health Services;** Revises the duties of the Substance Abuse and Mental Health Corporation by consolidating current responsibilities and providing that the activities of the corporation shall focus on directing efforts to improve interagency coordination of services to support a recovery and resiliency-based system of care; revises qualifications of the consumer members of the corporation and provides a definition for "primary consumer"; amends legislative intent in part IV of ch. 394, F.S., to include the implementation of a recovery and resiliency-based system by the Department of Children and Family Services and to ensure continuity of care for persons with serious mental illnesses being released from correctional programs into the community; repeals a provision of law relating to an expiration date of provisions of law relating to the Mental Health and Substance Abuse Program Offices and the appointment of the Assistant Secretary for Substance Abuse and Mental Health and other personnel. Effective Date: upon becoming a law.

Future of Florida's Families Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**CS for CS for SB 1450 by Transportation and Economic Development Appropriations, Transportation, Margolis** (Similar HB 963 CS)

**Donate Organs-Pass It On Plate;** creates said license plate; provides for distribution of annual use fees received from sale of such plates. Amends 320.08056, .08058. Effective Date: 07/01/2006

Calendar without reference

**HB 963 CS by Gannon, Robaina, Slosberg** (Similar CS/CS/SB 1450)

**License Plates;** Creates a Donate Organs-Pass It On license plate; provides for the distribution of annual use fees received from the sale of such plates. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

**SB 1408 by Health Care** (Similar HB 7125 CS)

**Medical Records;** requires health care practitioner's employer who is records owner & records custodian to comply with specified requirements for confidentiality & disclosure; provides requirements for prescriptions of medicinal drugs by said practitioners

which are electronically generated or transmitted; regulates electronic prescribing for said drugs; provides restrictions for electronic prescribing software, etc. Amends Ch. 456. Effective Date: 07/01/2006

Calendar without reference

**HB 7125 CS by Health Care Regulation Committee, Garcia, Homan, Sobel** (Similar SB 1408)

**Medical Records;** Requires a health care practitioner's employer who is a records owner and a records custodian to comply with specified requirements for confidentiality and disclosure; provides requirements for prescriptions of medicinal drugs by health care practitioners that are electronically generated and transmitted; regulates electronic prescribing for medicinal drugs; provides restrictions for electronic prescribing software; authorizes electronic prescribing software to show information regarding a payor's formulary under certain circumstances; provides that payors or providers are not limited from implementing utilization management tools; specifies requirements for a prescriber to prevent generic substitution for brand name drugs when a prescription is electronically transmitted and generated. Effective Date: July 1, 2006.

Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**CS for SB 1528 by Environmental Preservation, Environmental Preservation, Crist** (Compare HB 7133 CS)

**Environmental Protection;** clarifies who is liable for dumping under Florida Litter Law; deletes provisions re Keep Florida Beautiful, Inc.; places Adopt-a-Shore Program within DEP; authorizes DEP to initiate rulemaking re waste-to-energy facilities; provides for management & disposal of storm-generated debris; revises provisions re distribution of waste tire fees; authorizes DEP to issue order to abate certain hazards, etc. Amends Ch. 403, 320.08058. Effective Date: 07/01/2006

Calendar without reference

**HB 7133 CS by Environmental Regulation Committee, Needelman, Kendrick** (Compare HB 1473 CS, HB 1557, CS/SB 1528)

**Environmental Protection;** Revises various provisions governing the management of solid waste and environmental protection; clarifies various provisions of the Florida Litter Law; abolishes Keep Florida Beautiful, Inc.; places the Wildflower Advisory Council within the Department of Agriculture and Consumer Services; places the Adopt-a-Shore Program within the Department of Environmental Protection; provides that industrial byproducts are not regulated under certain circumstances; clarifies certain provisions governing dredged material; exempts certain Class I landfills from certain permit and regulation requirements; provides requirements for the management and disposal of storm-generated debris; revises requirements governing hazardous waste permits and facilities; revises grant program eligibility requirements for certain water management and restoration projects; eliminates requirements for certain funding and legislative review of such projects; repeals the Statewide Multipurpose Hazardous Waste Facility Siting Act; requires the Department of Environmental Protection to conduct a study of the sources of nitrogen input into

the Wekiva River and associated springs; requires the Department of Health to contract for an independent study of the sources of nitrogen input from onsite sewage treatment and disposal systems into the Wekiva River and associated springs; suspends certain department rulemaking until study completion; requires the departments to submit copies of the reports to the Legislature by a certain date; requires the Department of Health to develop rules for a model proposal for the operation and maintenance of onsite sewage treatment and disposal systems in certain areas; provides appropriations. Effective Date: July 1, 2006.

Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

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「 **CS for SB 1590 by Government Efficiency Appropriations, Rich, Lynn** (Similar HB 987 CS) 」

**Sales Tax Collection Allowance;** authorizes dealer to elect to forego collection allowance & direct that said allowance be transferred to Educational Enhancement Trust Fund, to be distributed to school districts as specified; provides exceptions; provides for rulemaking by DOR; provides for costs recovery; requires that DOR report collection information to DOE. Amends 212.12. Effective Date: 01/01/2007

Calendar without reference

**HB 987 CS by Gottlieb, Davis, M.** (Similar CS/SB 1590)

**Tax on Sales, Use, and Other Transactions;** Authorizes a dealer to elect to forego the collection allowance and direct that collection allowance revenues be transferred to the Department of Education for distribution to school districts which have adopted resolutions dedicating the use of such revenues for classroom technology; provides exceptions; provides for rules by the Department of Revenue; provides an appropriation; provides for cost recovery. Effective Date: January 1, 2007.

Education Appropriations Committee: Favorable With Committee Substitute; Fiscal Council: Favorable

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「 **CS for SB 1838 by Health Care, Haridopolos** (Similar HB 903 CS) 」

**Pharmacy Common Databases;** deletes provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; authorizes dispensing or refilling of prescription without transferred prescription under specified conditions. Amends 465.026; creates 465.0266. Effective Date: 07/01/2006

Health & Families Council: Favorable With Amendments

**HB 903 CS by Traviesa, Homan, Williams** (Similar CS/SB 1838)

**Pharmacy Common Databases;** Deletes a provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; authorizes the dispensing of a prescription contained in a common database under specified conditions; provides requirements for a policy and procedures manual that governs pharmacies, pharmacists, and

pharmacy employees participating in a pharmacy common database; provides for rights and obligations of pharmacists dispensing prescriptions. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

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「 **CS for CS for SB 1774 by Regulated Industries, Community Affairs, Constantine** (Similar HB 1187 CS, Compare HB 1209, CS/CS/SB 1336, SB 2664) 」

**Building Codes;** authorizes Fla. Building Commission to update & modify standard for wind design; authorizes said commission to adopt certain limited amendments to Fla. Building Code pursuant to rule adoption procedures for certain purposes after triennial updates; provides for use of private providers of building code inspection services under certain circumstances; defines term "fire hydrant" for purpose of Fla. Fire Prevention Code, etc. Amends FS. Effective Date: 07/01/2006

Calendar without reference

**HB 1187 CS by Murzin** (Similar CS/CS/SB 1774, Compare HB 1209, CS/CS/SB 1336, SB 2664)

**Florida Building Code;** Authorizes the Florida Building Commission to update and modify wind-design standards; provides criteria, requirements, and limitations; provides for delayed effect; supersedes specified provisions of law; deletes the definition of "exposure category C"; authorizes the Florida Building Commission to make limited amendments to the Florida Building Code pursuant to rule adoption procedures after triennial updates; authorizes authorities to enforce such amendments; specifies amendment criteria; prohibits interpretation and review of specified accessibility provisions of specified building codes; provides for the use of private providers of building code inspection services; authorizes the State Fire Marshal to amend the Florida Fire Protection Code; provides amendment criteria and limitations; provides for enforcement of the code and code amendments; requires the Department of Community Affairs to use a portion of specified appropriations for Florida Building Code education and training purposes; requires specified tax-exempt entities to use funds provided by the Department of Community Affairs for specified purposes. Effective Date: July 1, 2006.

Local Government Council: Favorable With Committee Substitute; Growth Management Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

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「 **SB 1948 by Smith, Dockery** (Similar HB 1621 CS) 」

**Coastal Property/Sale/Disclosures;** revises requirements for disclosures that must be provided by seller of coastal property to purchaser; provides that failure to deliver disclosure, affidavit, or survey does not create right of rescission or impair title to property. Amends 161.57. Effective Date: 07/01/2006

Calendar without reference

**HB 1621 CS by Mayfield** (Similar SB 1948)

**Coastal Properties Disclosure Statements;** Requires sellers of certain coastal properties to give a written disclosure statement to prospective purchasers; provides language for the disclosure statement; preserves the enforceability of certain contracts and title conveyances. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; Justice Council: Favorable  
L With Committee Substitute J

┌ **CS for CS for SB 214 by Justice Appropriations, Criminal Justice, Wise, King, Siplin** (Similar HB 303 CS, Compare SB 556, SB 560) ┐

**Dart-Firing Stun Guns/Training & Use;** defines term "dart-firing stun gun" for purposes of provisions re weapons & firearms; provides circumstances during which law enforcement, correctional, & correctional probation officers may employ said gun; requires certain officers who have not received training in use of said stun-guns & who are authorized to carry said stun-guns to receive training; requires school resource or law enforcement officer to make certain reports, etc. Amends FS. Effective Date: Upon becoming law

Calendar without reference

**HB 303 CS by Kravitz** (Similar CS/CS/SB 214, Compare SB 556, SB 560)

**Dart-Firing Stun Guns;** Defines "dart-firing stun gun" for the purposes of ch. 790, F.S.; deletes the definition of "remote stun gun"; revises provisions relating to the carrying of concealed weapons and the open carrying of weapons, to conform; authorizes the carrying of a dart-firing stun gun, both openly and in a concealed manner, for purposes of lawful self-defense; prohibits the use of a dart-firing stun gun against a law enforcement officer who is on duty; provides a penalty; provides circumstances during which law enforcement, correctional, and correctional probation officers may use a dart-firing stun gun; requires the Criminal Justice Standards and Training Commission to establish standards for instruction in the use of dart-firing stun guns; requires that a minimum number of hours in such training be included in the basic skills course required for certification; requires training of specified officers who are authorized to carry dart-firing stun guns and who have not received dart-firing stun gun training; requires annual training for certain officers. Effective Date: upon becoming a law.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute  
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**SB 2434 by Haridopolos** (Similar HB 1171)

**Travel To Terrorist States;** prohibits use of funds from Community College Program Fund, or funds made available to community colleges from outside fund, to implement, organize, direct, coordinate, or administer activities related to or involving travel to terrorist state; prohibits use of state or nonstate funds made available to state universities to implement, organize, or direct

activities related to or involving travel to terrorist state, etc. Amends 1011.81,.90, 112.061. Effective Date: 07/01/2006

Calendar without reference

**CS for CS for SB 716 by Judiciary, Ethics and Elections, Posey, Rich, Wilson, Margolis, Aronberg** (Compare HB 1525, HB 7221 CS, SB 2660)

**Campaign Finance;** (THIS BILL COMBINES S716 & S2660) redefines various terms; revises registration requirements for political committees & electioneering communications organizations; establishes campaign finance reporting requirements for certain officers & candidates soliciting contributions for certain committees & organizations; prohibits use of certain contributions received by said organization proximate to election, etc. Amends FS. Effective Date: 07/01/2006 except as otherwise provided

Calendar without reference

**HB 7221 CS by Ethics & Elections Committee, Reagan** (Compare CS/CS/SB 716)

**Campaign Financing;** Provides additional registration and reporting requirements for organizations making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications; revises certain filing requirements and reporting requirements for committees of continuous existence; provides additional reporting requirements for certain contributions made to persons making expenditures for electioneering communications; requires refund of certain contributions; provides registration and reporting requirements for state legislators, certain statewide officeholders, and candidates for such offices relating to contributions to organizations exempt under specified provisions of the Internal Revenue Code; provides an exemption. Effective Date: on July 1, 2006.

State Administration Council: Favorable With Committee Substitute

┌ **CS for CS for CS for SB 888 by Ways and Means, Environmental Preservation, Communications and Public Utilities, Constantine, Aronberg, Dockery, Atwater, Baker, Diaz de la Portilla, Bennett, Klein, Campbell, Bullard, Wilson** (Similar HB 1473 CS, Compare HB 347, HB 713, HB 1259, HB 1305, HB 1471 CS, SB 680, SB 762, SB 794, CS/SB 890, SB 2164, CS/SB 2478) ┐

**Energy;** creates Fla. Energy Commission, which is located within Legislative Services Office for administrative purposes; creates "Fla. Renewable Energy Technologies & Energy Efficiency Act"; creates Energy Efficient Appliance Rebate Program; provides sales tax holiday for energy efficient products; creates Solar Energy System Incentives Program; authorizes DOR to share certain information with DEP for specified purposes, etc. Amends FS. Effective Date: Upon becoming law

Calendar without reference

**HB 1473 CS by Hasner, Clarke, Davis, M., Flores, Grant, Grimsley, Harrell, Holloway, Hukill, McInvale, Reagan, Rivera, Robaina, Traviesa, Waters, Williams** (Similar CS/CS/CS/SB 888, Compare HB 347, HB 713, HB 1259, HB 1305, HB 1471 CS, HB 7133 CS, SB 680, SB 762, SB 794, CS/SB 890, SB 2164, CS/SB 2478)

**Energy;** Creates the "Florida Renewable Energy Technologies and Energy Efficiency Act"; creates the Renewable Energy Technologies Grants Program as a matching-fund program; requires the Department of Environmental Protection to adopt rules and coordinate with the Department of Agriculture and Consumer Services; requires joint departmental approval for the funding of any project; establishes an energy-efficient products sales tax holiday; prohibits purchase of products by certain payment methods; provides that certain purchases or attempts to purchase are unfair methods of competition and punishable as such; creates the Solar Energy System Incentives Program; creates the Florida Energy Council within the Department of Environmental Protection; provides definitions of "biodiesel," "ethanol," and "hydrogen fuel cells"; provides tax exemptions in the form of a rebate for the sale or use of certain equipment, machinery, and other materials for renewable energy technologies; provides for expiration of the exemption; provides the order of application of the renewable energy technologies investment tax credit; establishes a corporate tax credit for certain costs relating to renewable energy technologies; provides for expiration of the tax credit; provides an addition to the definition of "adjusted federal income"; revises the provisions of electric utility 10-year site plans to include the effect on fuel diversity; revises the safety standards for public utilities; authorizes the Public Service Commission to adopt certain construction standards and make certain determinations; directs the commission to conduct a study and provide a report by a certain date; revises and provides definitions applicable to the Florida Electrical Power Plant Siting Act; provides the Department of Environmental Protection with additional powers and duties relating to the Florida Electrical Power Plant Siting Act; revises provisions for certain permits associated with applications for electrical power plant certification; revises provisions relating to applicability and certification of certain power plants; revises provisions for distribution of applications and schedules relating to certification; revises provisions relating to the appointment of administrative law judges and their powers and duties; revises provisions relating to the determination of completeness for certain applications; authorizes certain local governments and regional planning councils to hold an informational public meeting about a proposed electrical power plant or associated facilities; requires local governments to file certain land use determinations; repeals a provision relating to the determination of sufficiency for certain applications; revises required preliminary statement provisions for affected agencies; requires a report as a condition precedent to the project analysis and certification hearing; revises provisions relating to land use and certification hearings, including cancellation and responsibility for payment of expenses and costs; requires certain notice; revises provisions relating to the final disposition of certain applications; revises provisions relating to the effect of certification for the construction and operation of proposed electrical power plants; provides that issuance of certification meets certain coastal zone consistency requirements; requires filing of notice for certified corridor routes; provides requirements and procedures with respect thereto; authorizes postcertification amendments for electrical power plant site certification applications; requires certain public notice for activities relating to power plant site application, certification, and land use determination; directs the Department of Environmental Protection to maintain certain lists and provide copies to of certain publications; revises

provisions for judicial review of appeals relating to electrical power plant site certification; revises provisions relating to modification of certification for electrical power plant sites; revises provisions relating to supplemental applications for sites certified for ultimate site capacity; revises provisions relating to existing electrical power plant site certification; revises the procedure for reviewing and processing applications; requires additional information to be included in certain applications; revises the allocation of proceeds from certain fees collected; provides for reimbursement of certain expenses; directs the Department of Environmental Protection to establish rules for determination of certain fees; eliminates certain operational license fees; provides for the application, processing, approval, and cancellation of electrical power plant certification; directs the Public Service Commission to consider fuel diversity and reliability in certain determinations; revises provisions and requirements relating to the stormwater management, wastewater management, and water restoration grants program; requires the Public Service Commission to implement rules related to nuclear power plant cost recovery and requires a report; renames the "Transmission Line Siting Act" as the "Florida Electric Transmission Line Siting Act"; revises the powers and duties of the Department of Environmental Protection; requires the department to collect and process fees, to prepare a project impact analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; revises provisions for notice by an electric utility of its intent to construct an exempted transmission line; provides for the powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct required hearings; revises application procedures and schedules for certification; requires the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; requires the applicant to file a notice of filing of the application; revises timeframes and procedures for determination of completeness of the application; requires the department to consult with affected agencies; requires the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revises requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; provides for the statement to notify the department that the information will not be provided; revises criteria and procedures for preliminary statements of issues, reports, and studies; requires that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; requires affected agencies to prepare a project impact report; provides for notice of any agency nonprocedural requirements not listed in the application; provides that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requires the department to prepare a project impact analysis to be filed with the administrative law judge and served on all parties within a certain timeframe; revises provisions for notices and publication of notices and for procedures at hearings; requires that certain notices be made in accordance with specified requirements and within a certain timeframe; authorizes the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the department upon request by the applicant or the department; requires the department and the applicant to publish notice of the cancellation; requires the parties to submit proposed recommended orders to the department when the certification hearing has been canceled; revises procedures, notices, and timeframes for consideration of proposed alternate corridors; provides for notice of the filing of the alternate corridor and revised time schedules; requires the person proposing the alternate corridor to provide all data to the

agencies within a certain timeframe; provides for the department to determine if the data is complete; provides for withdrawal of the proposed alternate corridor if the data is incomplete; requires the agencies to file reports with the applicant and department which address the proposed alternate corridor; requires the party proposing an alternate corridor to have the burden of proof on the certifiability of the alternate corridor; revises the procedures for the informational public meetings; revises the provisions for amending the application before certification; provides that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; revises provisions for final disposition of the application by the siting board; requires the applicant to file notice of a certified corridor route with the department; revises the circumstances under which a certification may be modified after the certification has been issued; provides procedures for changes proposed by the licensee after

certification; requires the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requires publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; provides for application fees and the distribution of fees collected; revises procedures for reimbursement of local governments and regional planning organizations; provides that the Public Service Commission is the only forum in which to determine the need for a transmission line; provides appropriations. Effective Date: upon becoming a law.

Utilities & Telecommunications Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

## 14. House Resolutions

## 15. Unfinished Business

### UNFINISHED BUSINESS

**HB 7263 CS by Insurance Committee, Ross, Arza** (Compare HB 533, HB 561, SB 1124, CS/SB 1596, CS/CS/CS/SB 2114)

**Motor Vehicle Insurance;** Requires motorcycle registrants to provide proof of security; provides specific requirements for reinstatement of a motorcycle license and registration; provides for reinstatement fees; requires proof of security for application of a motorcycle registration; requires owners and registrants of motorcycles to maintain specified security; requires medical payments and property damage coverage; authorizes alternative types of security; authorizes deductibles and applicability of the deductibles; makes an owner or registrant personally responsible for failure to maintain the required security; authorizes the Department of Highway Safety and Motor Vehicles to adopt rules; specifies minimum and maximum motor vehicle insurance premium discounts available under specified circumstances; requires the Department of Highway Safety and Motor Vehicles to require specified motor vehicle insurance policyholders to pass a written test for specified purposes; revises provisions relating to insurer requests for patient diagnostic or treatment information in disputes; provides for specified damages and attorney's fees in cases involving unfair trade practices by insurers; requires investigations by the Office of Insurance Regulation; provides for availability of additional personal injury protection benefits for specified emergency services and care; provides limitations on the increased benefit; specifies application of specified attorney fee provisions to disputes; prohibits application of a contingency risk multiplier applicable to awards of attorney's fees in disputes; specifies additional information requirements for notification of an insured's right to receive personal injury protection benefits under the Florida Motor Vehicle No-Fault Law relating to anti-fraud rewards; requires specified insurers to provide medical payments motorcycle insurance coverage; provides requirements and limitations; provides penalties; specifies covered persons; authorizes insurers to offer various levels of deductibles for the medical payments coverage; requires the Florida Automobile Joint Underwriting Association to make coverage available under specified circumstances; requires the Financial Services Commission to adopt rules; specifies additional information to be included in a crash report; creates a rebuttable presumption relating to the existence of

passengers in vehicles involved in a crash; provides an additional fee for specified offenses relating to insurance crimes; requires the Department of Highway Safety and Motor Vehicles to collect and deposit the fee into the Highway Safety Operating Trust Fund; provides an additional circumstance relating to insurance crimes for mandatory revocation of a person's driver's license; prohibits business solicitation by telephone from persons involved in a motor vehicle accident; prohibits scheming to create documentation of a motor vehicle crash that did not occur; provides a criminal penalty; provides that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; extends the repeal of the Florida Motor Vehicle No-Fault Law. Effective Date: October 1, 2006.

Read second time April 27, amendment 1 (700727) pending

**HB 335 CS by Culp, Jordan, Needelman** (Compare HB 293, HB 5019, HB 7169, CS/SB 456, CS/CS/SB 1612)

**Juvenile Justice;** Includes specified law enforcement officers in a definition for purposes of abuse investigations; permits a law enforcement officer to take a child into custody for a violation of adjudication order conditions; permits specified types of post-adjudication detention for a child who has previously failed to appear at delinquency court proceedings regardless of risk assessment instrument results; provides exceptions; revises the definition "fiscally constrained county" for purposes of determining state payment of costs of juvenile detention care; requires a court to include specified conditions in an order of adjudication of delinquency; permits a court to find a child in contempt of court for a violation of adjudication order conditions; repeals provisions relating to boot camps for children; authorizes the Department of Juvenile to contract for sheriff's training and respect programs; provides eligibility requirements; specifies required program offerings and participation timeframes; requires the department to adopt rules and maintain specified records; provides for quarterly evaluations of and contract cancellation; specifies staff training requirements; requires the department to adopt training rules; prohibits the provision of direct care to children by staff who have not complied with training requirements; prohibits operation of a



program until rules are adopted and the department has verified program compliance with applicable law and rules; authorizes emergency rules to expedite implementation; deletes requirements for certain reports; provides penalties for the willful failure of a child to return to a residential commitment facility within time authorized for a temporary release; requires the department to adopt specified rules; requires the department and provider employees to be certified in protective action response within a specified number of days; creates the Juvenile Justice Accountability Commission; requires the commission to contract for a comprehensive evaluation, accountability, and reporting system for juvenile justice programs; provides requirements for the system; requires a report by the system provider; specifies commission duties; requires a report; provides for automated access to the juvenile justice information system; requires the commission to adopt rules; directs the department to collect and analyze specified data; requires the development of a standard methodology for annually measuring, evaluating, and reporting program outputs and youth outcomes; requires an annual report; specifies report contents; revises a cost-effectiveness model for commitment programs; revises a report due date; revises requirements for annual quality assurance reporting;

provides for termination of juvenile justice contracts and programs in specified circumstances; deletes obsolete provisions; creates the cost of supervision and care waiver pilot program in the Ninth Judicial Circuit; requires waiver of specified fees for successful completion of specified parenting classes; provides conditions; provides for review of the pilot program and reports by OPPAGA; requires the Juvenile Justice Accountability Commission to contract for the parenting classes; provides for future repeal; provides for a transfer of powers, duties, resources, and personnel relating to specified department responsibilities to the Juvenile Justice Accountability Commission; creates a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents; requires the department to develop implementation procedures and to publish specified information about commitment programs on its website; provides procedures for the selection of commitment programs by courts; requires evaluation and reports by OPPAGA; specifies department and court responsibilities relating to the reports; provides for future repeal of the pilot program. Effective Date: July 1, 2006.

Read second time April 28, amendment 1 (855553) pending

## 16. Introduction and Reference

END OF DAILY ORDER OF BUSINESS

**HB 11 CS by Robaina, Flores, Garcia, Homan, Zapata** (Similar CS/SB 1536, Compare HB 317, CS/SB 600)

**Indoor Smoking Places;** Defines the term "person" for purposes of the Florida Clean Indoor Air Act; prohibits a proprietor or other person in charge of an enclosed indoor workplace from permitting smoking in that workplace; deletes obsolete provisions requiring that signs be posted in an enclosed indoor workplace; prohibits a vendor from permitting smoking in a licensed premises unless it is designated as a stand-alone bar; provides a penalty for a vendor who knowingly makes a false statement on an affidavit of compliance; deletes a provision requiring that a vendor operating a stand-alone bar certify to the Division of Alcoholic Beverages and Tobacco that it derives only a certain percentage of its gross revenue from the sale of food. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable

**HB 119 CS by Zapata, Arza, Brandenburg, Bucher, Bullard, Fields, Flores, Garcia, Goldstein, Llorente, Planas, Quinones, Rivera, Robaina, Roberson, Ryan, Sansom** (Compare HB 795, HB 7257, CS/SB 366)

**Postsecondary Student Fees;** Provides conditions for reclassification as a resident for tuition purposes; requires that evidence be provided relating to legal residency and dependent status; provides duties of institutions of higher education; classifies as residents for tuition purposes certain employees of international multilateral organizations; provides an out-of-state fee exemption and eligibility criteria therefor; limits participation in the exemption program. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 137 CS by Mayfield, Zapata** (Identical SB 1658, Compare HB 7257)

**Awarding of Baccalaureate Degrees by Community Colleges;** Provides that community colleges that grant baccalaureate degrees remain under the authority of the State Board of Education with respect to specified responsibilities; provides that the board of trustees is the governing board for purposes of granting baccalaureate degrees; provides powers of the boards of trustees, including the power to establish tuition and out-of-state fees; requires policies relating to minimum faculty teaching hours per week; requires community colleges that offer baccalaureate degrees to maintain their primary mission and prohibits the termination of associate degree programs; removes authorization for St. Petersburg College to request funding as a university; removes requirement that baccalaureate degree program proposals be submitted to the Council for Education Policy Research and Improvement; provides requirements for the delivery of specified baccalaureate degree programs by a regionally accredited college or university at a community college site; provides guidelines and restrictions for setting tuition and out-of-state fees for upper-division courses; requires the State Board of Education to adopt a resident fee schedule for baccalaureate degree programs offered by community colleges; provides requirements for funding baccalaureate degree programs; provides state policy to limit state

support for recurring operating purposes to no more than a specified percentage of funding for certain state university programs; provides certain reporting and funding requirements; allows boards of trustees to request funding for all authorized programs; provides that enrollment in baccalaureate degree programs may be computed into the survey of need for facilities under certain conditions. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 149 by Mahon, Baxley, Porth, Proctor, Robaina** (Similar SB 1076)

**DUI Education Courses;** Provides additional requirements for DUI education courses. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Criminal Justice Committee: Favorable; State Infrastructure Council: Favorable

**HB 159 CS by McInvale, Detert, Flores, Hays** (Identical CS/SB 466)

**Regulation of Real Estate Appraisers;** Revises requirements relating to work performed by persons who are not certified, licensed, or registered; provides requirements relating to issuance of appraisal reports and compensation of appraisers, including trainees; removes obsolete language relating to qualifications for registration, licensure, or certification; revises education and experience requirements; removes obsolete language relating to examination requirements; revises the minimum and maximum course hour requirements for trainee appraiser registration; removes obsolete provisions establishing education and experience requirements for licensure as an appraiser; revises education and experience requirements for certification as a residential appraiser or general appraiser; requires applicants for certification to maintain certain application documents; provides for the issuance of registration and certification upon receipt of proper documentation; prohibits supervisory appraisers from certain employment; requires supervisory appraisers to provide direct training to registered trainee appraisers; requires appraisers to furnish their firm or business name and any change in that name to the Department of Business and Professional Regulation; provides rulemaking authority to the Florida Real Estate Appraisal Board for purposes of provisions of the act. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable

**HB 181 CS by Hays** (Similar CS/CS/SB 170)

**Administration of Medication;** Deletes requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizes direct service providers to administer medication to clients or to supervise self-administration of medication by clients; provides requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requires the Agency for Persons with Disabilities to adopt rules to establish standards and procedures

governing the supervision of self-administered medications and the administration of medications by direct service providers. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Elder & Long-Term Care Committee: Favorable; Health & Families Council: Favorable

**HB 197 CS by Hays** (Compare SB 420)

**Preinsurance Inspection of Private Passenger Motor Vehicles;** Provides for a voluntary preinsurance inspection of motor vehicles by an insurer; authorizes private passenger motor vehicle insurance companies to require a preinsurance inspection of a motor vehicle as a condition of issuing physical damage coverage; deletes provisions relating to required inspections. Effective Date: upon becoming a law.

Insurance Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HJR 213 CS by Brummer, Arza, Flores, Goldstein, Hasner, Traviesa** (Compare SJR 532)

**Authorizing the Division of a School District into Two or More School Districts;** Proposes an amendment to s. 4, Art. IX of the State Constitution to provide that school districts may be divided into two or more school districts, each having no fewer than 25,000 students, as provided by law and upon a vote of the county's electors; to provide that school district taxes shall be imposed countywide and distributed to the school districts in an equitable and nondiscriminatory manner as provided by law; and to provide that the rate of school district taxes shall be determined by a board consisting of an equal number of school board members from each school district in the county as provided by law.

PreK-12 Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 229 CS by Clarke, Altman, Domino, Machek, Patterson, Williams** (Similar CS/SB 2708)

**Exploration, Production, and Storage of Petroleum and Natural Gas;** Directs the Department of Environmental Protection to contract for a study of exposure risks and potential adverse effects of hurricane wind and storm surge on field-erected aboveground storage tank systems at bulk product facilities; provides requirements for the scope of the study; provides an appropriation from the Inland Protection Trust Fund for the cost of the study; directs the department to compile and review existing data and information relating to environmental risks associated with oil and natural gas exploration and production in the eastern Gulf of Mexico; provides requirements and criteria for the evaluation of such risks; requires the department to submit a report to the Governor and the Legislature. Effective Date: upon becoming a law.

Water & Natural Resources Committee: Favorable With Committee Substitute; Environmental Regulation Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

**HB 243 by Kendrick, Bilirakis** (Identical SB 372)

**Hearing Aid Specialists;** Eliminates the application of certain advertising requirements to health care practitioners licensed under pt. II of ch. 484, F.S., relating to the regulation of hearing aid specialists. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable; Elder & Long-Term Care Committee: Favorable; Health & Families Council: Favorable

**HB 267 CS by Bogdanoff, Davis, M., Zapata** (Similar SB 268, Compare HB 7079, CS/CS/SB 1742)

**Driver License Services;** Directs the Department of Highway Safety and Motor Vehicles to study outsourcing its driver license services; requires that the department submit a report to the Governor and Legislature by a specified date; provides requirements for the department with respect to issues to be included in the study; requires a cost-benefit analysis and a transition and implementation plan; provides for the collection of driver license renewal service charges by authorized driver's license agents; revises legislative intent provisions to include references to county constitutional officers providing driver license services; authorizes the department to contract with any county constitutional officer for driver license services in counties in which the tax collector is not elected or does not provide such services. Effective Date: upon becoming a law.

Transportation Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

**HB 297 CS by Harrell, Porth** (Identical CS/SB 2296)

**Driving and Boating Under the Influence;** Provides for applicability of sanctions; requires a specified period of imprisonment for a fourth or subsequent conviction of driving under the influence; prohibits substitution of treatment alternatives in certain circumstances; requires impoundment or immobilization of all vehicles owned by the defendant for a specified period; provides for dismissal of an impoundment order; requires records of judgments of guilty to include fingerprints and social security numbers; requires a specified period of imprisonment for a fourth or subsequent conviction of boating under the influence; prohibits substitution of treatment alternatives in certain circumstances; requires impoundment or immobilization of the vessel operated by or in the actual control of the defendant or any one vehicle registered in the defendant's name at the time of impoundment or immobilization for a specified period; provides for dismissal of an order of impoundment or immobilization under certain circumstances upon request of an owner who was not operating the vessel; provides for dismissal of an impoundment order; requires records of judgments of guilty to include fingerprints and social security numbers; provides applicability. Effective Date: October 1, 2006, and shall apply to offenses committed on or after that date.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 327 CS by Porth, Sands** (Similar CS/SB 646)

**Sexual and Career Offenders;** Revises the definition of "institution of higher education" to include a career center; revises provisions relating to use of prior felonies for sexual predator determination; deletes a requirement for separate sentencing of a prior felony for sexual predator designation; removes language allowing a sexual predator to register at a FDLE office; revises an operational date used for career offender registration; expands applicability of registration requirements; removes language allowing a sexual offender to register at a FDLE office; revises language relating to the definition of "sexual offender"; revises the definition of "institution of higher education" to include a career center; revises a provision relating to an offender's driver license or identification card renewal; revises language relating to the definition of "sexual offender"; revises the definition of "institution of higher education" to include a career center. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 377 CS by Gibson, H., Seiler** (Identical CS/SB 1256)

**Continuing Care Provider Minimum Liquid Reserve Requirements;** Deletes property insurance premiums from debt service reserve requirements; deletes property insurance debt service reserve limitations; deletes additional minimum debt service reserve requirements for specified years; includes property insurance premiums in calculating expenses. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Insurance Committee: Favorable; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

**HB 403 CS by McInvale** (Compare HB 7087, CS/CS/SB 772, CS/CS/SB 2048, SB 2576)

**School Attendance;** Authorizes district school board attendance policies to allow accumulated tardies and early departures to be recorded as unexcused absences; authorizes district school board policies for student referral to a child study team under certain circumstances; provides that students who have attained 16 years of age and have not graduated are subject to compulsory school attendance under certain circumstances; requires student exit interviews prior to terminating school enrollment; provides district school superintendent's responsibility to support local law enforcement agencies in enforcing school attendance; provides required and authorized child study team interventions; authorizes visits by school representatives. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Juvenile Justice Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 453 by Needelman, Bullard, Clarke, Gelber, Johnson, Littlefield, Sorensen, Zapata** (Similar SB 676)

**Designation of an Official State Pie of the State of Florida;** Designates the Key Lime Pie as the official pie of the State of Florida. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Tourism Committee: Favorable; State Administration Council: Favorable

**HB 501 CS by Clarke, Stargel** (Similar CS/SB 388)

**Assisted Care Communities;** Creates ch. 429, F.S., and transfers specified provisions of ch. 400, F.S. relating to assisted living facilities, adult family-care homes, and adult day care centers to the chapter; conforms references to changes made by the act; provides that physician assistants are subject to certain requirements in the same manner as physicians; requests the Division of Statutory Revision to make necessary conforming changes to Florida Statutes. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Future of Florida's Families Committee: Favorable; Governmental Operations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 519 CS by Kravitz** (Compare SB 960)

**Internet Screening in Public Libraries;** Defines terms; requires public libraries to provide technology that protects against Internet access to specified proscribed visual depictions; allows adults to request disablement of the technology for specified purposes; prohibits a public library from maintaining a record of adults who request such disablement; requires a public library to post notice of its Internet safety policy; directs the Division of Library and Information Services within the Department of State to adopt rules requiring a written attestation of compliance as a condition of state funding; provides a cause of action is not authorized for a violation by a public library. Effective Date: October 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable

**HM 539 by Harrell, Sands**

**Indian River Lagoon Restoration Project and the Lake Okeechobee and Estuary Recovery Plan;** Urges the President and Congress to promptly enact legislation to authorize funding to construct the Indian River Lagoon Restoration Project and the development of a comprehensive plan to assist in the implementation of the Lake Okeechobee and Estuary Recovery Plan.

Water & Natural Resources Committee: Favorable; Local Government Council: Favorable; State Resources Council: Favorable

**HB 577 CS by Garcia, Bullard** (Compare CS/SB 1000)

**Medicaid;** Authorizes the Agency for Health Care Administration to implement a federal waiver to administer an integrated, fixed-payment delivery system for Medicaid recipients; provides applicability; requires the Agency for Health Care Administration to establish a comprehensive geriatric fall prevention program for certain Medicaid recipients; directs the agency to develop the program as an expansion of a certain pilot project conducted in Miami-Dade County; requires the agency to evaluate the program and report to the Legislature; requires a plan and timetable for statewide implementation contingent upon certain findings; specifies a timeframe for implementing a certain form of reimbursement; provides that the act shall take effect contingent upon an appropriation. Effective Date: July 1, 2006; however, section 2 shall take effect only if a specific appropriation to implement the Medicaid comprehensive geriatric fall prevention

program as created in s. 409.91212, Florida Statutes, in this act is made in the General Appropriat

Elder & Long-Term Care Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HB 581 by Cretul, Arza, Baxley, Bean, Davis, D., Davis, M., Hays, Kravitz, Kreegel, Poppell, Sansom, Stansel, Stargel, Zapata** (Identical SB 1796)

**Public Benefits;** Prohibits funding for benefits granted under the state group insurance program from being used to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees; prohibits community college boards of trustees and university boards of trustees from establishing benefits programs that use state funding to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Fiscal Council: Favorable; State Administration Council: Favorable

**HB 621 CS by Grimsley, Detert, Hays, Kreegel, Legg** (Compare HB 805, SB 94)

**Fiscal Intermediary Services Organizations;** Redefines the term "fiscal intermediary services organization"; revises registration requirements for fiscal intermediary services organizations. Effective Date: October 1, 2006.

Health Care General Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**HB 627 CS by Brummer** (Similar SB 538)

**License Plates;** Requires a driver whose driving privileges are restricted because of a conviction related to driving under the influence to have a DUI plate on any vehicle that he or she operates; provides for the Department of Highway Safety and Motor Vehicles to develop such a plate; provides requirements for such a plate; provides an annual surcharge for the plate; provides for the use of such surcharge; requires that a person whose driving privilege has been revoked under a specified provision only be granted restricted driving privileges on the condition that he or she operates only a vehicle that displays a DUI license plate. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable

**HB 637 CS by Seiler** (Similar CS/SB 202)

**Consumer Protection;** Revises and creates provisions relating to consumer protection; changes obsolete dates; revises provisions relating to remedies of the enforcing authority under the Florida Deceptive and Unfair Trade Practices Act to provide that the court may order actions brought under that act on behalf of an enterprise; provides that the use of a creation that is not protected under federal copyright law shall not give rise to a claim or cause of action, except under specified circumstances; provides construction with respect thereto. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Civil Justice Committee: Favorable; Judiciary Appropriations Committee: Favorable; State Resources Council: Favorable With Committee Substitute

**HB 651 by Kottkamp, Adams, Culp, Sansom** (Similar SB 694)

**Secondhand Dealers;** Revises various provisions of ch. 538, F.S., relating to secondhand dealers; revises definitions; revises applicability of ch. 538, F.S.; exempts persons or entities offering secondhand goods or personal property for sale, purchase, consignment, or trade via the Internet from the provisions of ch. 538, F.S., under certain circumstances; exempts certain businesses that sell, rent, or trade motion picture videos or video games from ch. 538, F.S.; revises recordkeeping requirements for secondhand dealers; provides penalties for knowingly giving false verification of ownership or a false or altered identification, and for receiving money from a secondhand dealer for goods sold, consigned, or traded if the value of the money received is less than \$300, and if the value of the money received is \$300 or more; provides for the electronic transfer of secondhand dealer transactions under specified circumstances; authorizes appropriate law enforcement agencies to provide a secondhand dealer with a computer and other equipment necessary to electronically transfer secondhand dealer transactions; provides procedures with respect to electronic transfer of secondhand dealer transactions; revises provisions relating to the inspection of records and premises of secondhand dealers; revises provisions with respect to the holding of goods upon probable cause that the goods are stolen; provides for payment of restitution, attorney's fees, and costs to a secondhand dealer under specified circumstances; revises the time limit for maintenance of transaction records by dealers in secondhand property; revises provisions relating to restitution for stolen property recovered from a secondhand dealer; revises provisions with respect to registration as a secondhand dealer; revises conditions under which registration may be denied, revoked, restricted, or suspended by the Department of Revenue; repeals provisions relating to disposal of property by secondhand dealers. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Business Regulation Committee: Favorable; Governmental Operations Committee: Favorable; Justice Council: Favorable

**HB 665 by Troutman, Attkisson, Baxley, Bogdanoff, Goldstein, Porth, Ross, Sobel, Stargel, Traviesa**

**Florida Virtual School;** Establishes the Students Earning Additional Recovery Credits and Honors (SEARCH) Program to provide opportunities for students to recover credits needed for graduation or to earn honors course credit or other course credit; provides for payment for additional full-time equivalent student credit to the extent funded in the General Appropriations Act; provides eligibility requirements for participation by a school district operating a virtual school that is an approved franchise of the Florida Virtual School; provides for use of funds; provides a limitation on school district funding. Effective Date: July 1, 2006.

Choice & Innovation Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 679 CS by Sobel, Carroll, Garcia, Gottlieb, Homan, Meadows, Peterman, Porth, Richardson, Ryan, Zapata** (Similar CS/CS/SB 2602)

**Health-Related Education in the Public Schools;** Requires each school district to submit to the Department of Education copies of the district's school wellness policy and physical education policy

and review the policies annually; requires the department and school districts to post links to the policies on their websites; requires the department to provide website links to certain resources; encourages school districts to provide training in first aid; requires that school district physical education programs and curricula be reviewed by a certified physical education instructor; encourages school districts to provide physical education for a specified amount of time; requires schools to annually provide parents and guardians with certain health-related information; provides requirements relating to school health advisory committees. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Health Care General Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 691 CS by Negron, Baxley, Carroll, Clarke, Davis, D., Goldstein, Hasner, Kottkamp, Needelman, Russell, Troutman** (Compare SB 1404)

**Tax on Sales, Use, and Other Transactions;** Provides for noncollection of the tax on a portion of the sales price of specified transactions during a specified period of time; authorizes the Department of Revenue to adopt rules; provides appropriations. Effective Date: upon becoming a law.

Finance & Tax Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute

**HB 733 CS by Dean, Grimsley, Troutman** (Similar CS/CS/SB 1958)

**Airboats;** Provides for regulation of airboat operation and equipment; requires described sound-muffling device; prohibits the use of cutouts or flex pipe as the sole source of muffling; requires display of described flag; provides penalties and exceptions; prohibits an ordinance or local law from discriminating against airboats; provides for penalties, court costs, and procedures for disposition of citations for specified violations; requires certain violators to complete a described boating safety course and to file proof of completion with the Fish and Wildlife Conservation Commission prior to operating a vessel. Effective Date: upon becoming a law, this act shall take effect October 1, 2006.

Water & Natural Resources Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

**HB 741 CS by Greenstein** (Similar CS/SB 876, Compare HB 19 CS, CS/SB 1086)

**Florida Center for Solid and Hazardous Waste Management;** Designates the Florida Center for Solid and Hazardous Waste Management as the William W. "Bill" Hinkley Center for Solid and Hazardous Waste Management; directs the Department of Environmental Protection, in coordination with the University of Florida and the University of Florida Foundation, to erect suitable markers. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 753 CS by Rivera, McInvale, Roberson, Zapata** (Identical CS/SB 1268, Compare CS/CS/SB 132)

**Deferral of Ad Valorem Property Taxes;** Decreases the age and increases the income threshold required for eligibility to defer ad valorem property taxes; decreases the maximum interest rate that may be charged on deferred ad valorem taxes. Effective Date: July 1, 2006.

Finance & Tax Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Fiscal Council: Favorable

**HB 763 CS by Ambler, Glorioso, Hasner, Henriquez, Rice, Sands, Traviesa, Williams** (Identical CS/SB 640)

**Luring or Enticing a Child;** Defines the term "convicted"; provides that a person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a misdemeanor of the first degree; provides that a person who has previously been convicted of this offense and who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a felony of the third degree; deletes a presumption regarding what constitutes other than a lawful purpose; authorizes a law enforcement officer to arrest a person without a warrant if there is probable cause to believe that the person is intentionally luring or enticing, or attempting to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 773 CS by Goodlette, Carroll, Hasner, Troutman** (Similar CS/SB 720, Compare SB 1244)

**Initiative Procedures and Standards;** Revises requirements for verification of signatures on petitions; provides requirements for initiative sponsors filing for undue burden; provides procedures to contest alleged improper signature verification; repeals provisions relating to procedures for placement of initiatives on the ballot; revises procedures for placing an initiative on the ballot; provides requirements for information to be contained on petitions; provides procedure for revocation of a petition signature; requires a statement on the ballot regarding the financial impact statement; provides regulation for initiative petition circulators and their activities; repeals provisions relating to referenda and ballots; provides for verifying and counting signatures submitted for verification before the effective date of the act. Effective Date: August 1, 2006.

Ethics & Elections Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable

**HB 791 CS by Fields, Joyner, Sansom** (Compare HB 121, CS/SB 254, SB 1738)

**Road Designations;** Designates Ms. Eddie Mae Steward Avenue, Dr. Mary L. Austin Jones Avenue, Mrs. Flossie Brunson Avenue, Dr. Robert L. Brown, Sr., Highway, and Ms. Barbara Van Blake Parkway in Duval County; designates Ms. MaVynne "The Beach

Lady" Betsch Highway in Nassau County; designates Brian D. Little Road in Okaloosa County; designates John Land Apopka Expressway in Orange County; revises designation of Toussaint L'Ouverture Boulevard in Miami-Dade County; designates Reverend Gerard Jean-Juste Boulevard in Miami-Dade County; directs the Department of Transportation to erect suitable markers. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

**HB 809 CS by Taylor, Bendross-Mindingall, Joyner, Porth, Roberson, Sands, Sobel** (Compare SB 1992)

**Assault or Battery on Homeless Persons;** Reclassifies offenses evidencing prejudice based on the homeless status of the victim; provides a minimum sentence and other penalties for a person convicted of an aggravated assault or aggravated battery upon a homeless person. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 839 CS by Kottkamp, Anderson, Baxley, Davis, D., Garcia, Grant, Robaina, Ross, Zapata** (Similar HB 391, CS/SB 2358, Compare HB 957 CS, SB 546, SB 2530)

**Community Associations;** Provides for the revival of certain covenants that have lapsed; prohibits local ordinances that limit the access of certain persons to beaches that adjoin condominiums; revises provisions relating to the amendment of declarations; provides legislative findings and a finding of compelling state interest; provides criteria for consent to an amendment; requires notice regarding proposed amendments to mortgagees; provides criteria for notification; provides for voiding certain amendments; revises the implementation date for retrofitting of common areas with a sprinkler system; provides that certain leaseholds, memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; provides retroactive application of provisions relating to mixed-use condominiums; provides a definition; prohibits laws, ordinances, or regulations that apply only to improvements that are or may be subjected to an equity club form of ownership; revises governing provisions relating to corporations that operate residential homeowners' associations; revises provisions relating to open meetings of the association; revises application to include certain meetings; requires the association to provide certain information to prospective purchasers or lienholders; authorizes the association to charge a reasonable fee for providing certain information; requires the budget to provide for annual operating expenses; authorizes the budget to include reserve accounts for capital expenditures and deferred maintenance; provides a formula for calculating the amount to be reserved; authorizes the association to adjust replacement reserve assessments annually; authorizes the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revises provisions relating to financial reporting; revises time periods in which the association must complete its reporting; repeals a provision relating to board meetings, to remove conflicting versions of that subsection; provides for architectural control covenants and parcel owner improvements; authorizes the review and approval of plans and specifications; provides limitations; provides rights and privileges for parcel owners as set

forth in the declaration of covenants; provides that, where a member is entitled to collect attorney's fees against the association, the member may also recover additional amounts as determined by the court; provides that certain mergers or consolidations of an association shall not be considered a material or adverse alteration of the proportionate voting interest appurtenant to a parcel; requires developers to deliver financial records to the board in any transition of association control to members; requires certain information to be included in the records and for the records to be prepared in a specified manner; provides circumstances under which a guarantee of common expenses shall be effective; provides for approval of the guarantee by association members; provides for a guarantee period and extension thereof; requires the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; provides payments required from the guarantor to be determined in a certain manner; provides a formula to determine the guarantor's total financial obligation to the association; provides that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; revises provisions relating to dispute resolution; provides that the filing of any petition for arbitration or the serving of an offer for presuit mediation shall toll the applicable statute of limitations; provides that certain disputes between an association and a parcel owner shall be subject to presuit mediation; revises provisions to conform; provides that temporary injunctive relief may be sought in certain disputes subject to presuit mediation; authorizes the court to refer the parties to mediation under certain circumstances; requires the aggrieved party to serve on the responding party a written offer to participate in presuit mediation; provides a form for such offer; provides that service of the offer is effected by the sending of such an offer in a certain manner; provides that the prevailing party in any subsequent arbitration or litigation proceedings is entitled to seek recovery of all costs and attorney's fees incurred in the presuit mediation process; requires the mediator or arbitrator to meet certain certification requirements; removes a requirement relating to development of an education program to increase awareness of the operation of homeowners' associations and the use of alternative dispute resolution techniques. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Judiciary Committee: Favorable With Committee Substitute; Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Justice Council: Favorable

**HB 859 CS by Baxley** (Similar CS/SB 1690)

**Probable Cause Panels;** Places a physician assistant on probable cause panels of the Board of Medicine and the Board of Osteopathic Medicine considering discipline of physician assistants; provides that certain rulemaking provisions are not required to implement specified probable cause panel provisions. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**HB 889 CS by Machek** (Compare HB 1039, CS/CS/SB 1306)

**Fran Reich Preserve;** Designates the Site 1 Impoundment project of the Comprehensive Everglades Restoration Plan sponsored by the South Florida Water Management District as the Fran Reich Preserve; directs the South Florida Water Management District to erect suitable markers. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

**HB 891 by Goldstein, Rivera, Robaina** (Compare SB 1592)

**Local Occupational License Taxes;** Updates provisions authorizing reclassification and new rate structure revisions to local occupational license taxes by ordinance; deletes counties from such authorization provisions; authorizes decreasing local occupational license tax rates; provides construction with respect to decreasing or repealing such taxes. Effective Date: upon becoming a law.

Local Government Council: Favorable; Finance & Tax Committee: Favorable; Fiscal Council: Favorable

**HB 957 CS by Anderson** (Compare HB 391, HB 839 CS, SB 546, CS/SB 2358, SB 2530)

**Community Associations;** Authorizes certain associations to revive lapsed covenants; provides that certain leaseholds, memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; revises application; authorizes associations to charge specified fees for providing certain information to prospective purchasers or lienholders; limits liability for providing such information; revises what must be included in an association's annual budget; provides for reserve accounts for capital expenditures and deferred maintenance; revises certain time requirements relating to annual reports of associations; provides that certain mergers or consolidations do not alter specified voting interests; provides additional documents that the developer must deliver at the time the association members elect the board of directors; provides that a guarantee of common expenses shall be effective under certain circumstances; requires the guarantee to meet certain requirements; authorizes the guarantee to provide certain requirements; requires the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; provides payments required from the guarantor to be determined in a certain manner; provides a formula to determine the guarantor's total financial obligation to the association; provides that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; revises provisions relating to publication of false or misleading information to clarify that such provisions do not limit common-law rights. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable

**HB 971 by Sobel, Brutus, Henriquez, Sands, Slosberg** (Identical SB 2810, Compare HB 343, SB 1314)

**Broward County;** Creates the Broward County Council for Services for Seniors as an independent special district to provide funding for services for seniors; authorizes ad valorem taxation and provides a millage cap; provides for a governing board for the district; specifies the powers and duties of the council; requires that all tax moneys collected be paid directly to the council by the Broward County Tax Collector and deposited in qualified public depositories; provides that the district may be amended or dissolved by a special act of the Legislature; authorizes the Broward County Board of County Commissioners to fund the budget of the council from its own funds after or during the council's first year of operation; requires the district to comply with statutory require-

ments related to the filing of a financial or compliance report; authorizes the district to seek grants and accept donations from public and private sources; requires a referendum. Effective Date: only upon approval by a majority vote of those qualified electors of Broward County voting in a referendum election to be called by the Broward County Board of County Commissioners and held in conjunction with the primary election held on September

Local Government Council: Favorable; Elder & Long-Term Care Committee: Favorable; Fiscal Council: Favorable

**HB 973 CS by Sobel** (Identical SB 2840)

**South Broward Drainage District, Broward County;** Amends the amount for which advertisement for bids is required for the procurement by the district of contractual services and purchase of goods, supplies, and materials to comply with state statutory requirements; provides for recording of the act; provides severability. Effective Date: upon becoming a law.

Local Government Council: Favorable With Committee Substitute

**HB 979 CS by Seiler** (Compare SB 490)

**Property Tax Administration;** Requires the Department of Revenue to notify specified local government officers of the availability on request of department findings regarding department review of the county tax assessment roll; requires the department to provide a copy of such findings to a requesting party within a time certain. Effective Date: July 1, 2006.

Local Government Council: Favorable With Committee Substitute; Finance & Tax Committee: Favorable; Fiscal Council: Favorable

**HB 995 CS by Bean** (Similar CS/CS/SB 1632)

**Agency Inspectors General;** Creates the Council on State Agency Inspectors General; provides for the purpose and membership of the council; provides duties and responsibilities of the council; requires the council to hold meetings at least monthly; authorizes the council to develop recommendations relating to inspector general investigations; provides minimum requirements for the recommendations developed by the council; provides administrative support for the council; requires the council to issue a report on its findings; provides for future repeal. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Fiscal Council: Favorable; State Administration Council: Favorable With Committee Substitute

**HB 1047 CS by Stargel** (Similar CS/CS/SB 2184)

**Parental Relocation with a Child;** Deletes standards for determining whether to allow a primary residential parent to move a child; provides for notification of certain persons of the intent to relocate the child and provides procedures therefor; requires certain information to be provided on a Notice of Intent to Relocate; provides procedures for objecting to the relocation of a child; provides applicability of public records law; provides for content of an objection to relocation; authorizes the court to grant a temporary order restraining the relocation of a child; prohibits certain presumptions and requires certain factors to be evaluated by the court with regard to relocation of a child; assigns the burden of proof in cases of relocation of a child; authorizes the court to order certain contact with the child by the nonrelocating party; grants



priority for certain hearings and trials; provides applicability.  
Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute;  
Future of Florida's Families Committee: Favorable; Justice  
Council: Favorable

**HB 1059 by Rivera, Lopez-Cantera** (Similar SB 2706)

**Deduction and Collection of a Bargaining Agent's Dues and Uniform Assessments;** Eliminates a right of certain bargaining agents to have certain dues and assessments deducted and collected by an employer from certain employees; provides legislative findings and intent; provides that the deduction and collection of certain dues and assessments is a proper subject of collective bargaining; provides requirements and limitations; provides for accounting of funds; provides for enforcement. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; State Administration Council: Favorable

**HB 1065 CS by Jordan, Baxley, Cretul, Grant** (Similar CS/SB 2034)

**Educational Opportunities for Children and Spouses of Deceased or Disabled Veterans and Servicemembers;** Provides that it is the declared policy of the state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; provides criteria for qualification for such benefits for unremarried spouses of deceased servicemembers and dependent spouses of disabled servicemembers; specifies uses of funds appropriated for such educational opportunities; revises terminology; removes a limitation with respect to the provision of educational opportunity at state expense for dependent children either of whose parents became classified as prisoners of war or missing in action in the service of the Armed Forces of the United States or civilian personnel captured while serving with the consent or authorization of the United States Government. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Military & Veteran Affairs Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 1067 CS by Grimsley, Bullard** (Similar CS/SB 1922)

**State Long-Term Care Ombudsman Program;** Revises legislative findings and intent; revises provisions relating to qualifications of the State Long-Term Care Ombudsman; revises duties of the legal advocate; revises duties and responsibilities of the State Long-Term Care Ombudsman; requires an annual report; repeals provisions relating to the Office of State Long-Term Care Ombudsman and departments of state government; revises duties and membership of the State Long-Term Care Ombudsman Council; provides for election of a local council member from each local council to provide representation on the state council; authorizes the Secretary of Elderly Affairs to recommend to the Governor appointments to at-large positions on the state council; provides conditions for removal of members of and for filling vacancies on the state council; provides for election of officers and meetings; provides for per diem and travel expenses if approved by the ombudsman; authorizes the State Long-Term Care Ombudsman to designate and direct local long-term care ombudsman councils; requires approval by the Secretary of Elderly Affairs of jurisdic-

tional boundaries designated by the ombudsman; revises duties of the local long-term care ombudsman councils; provides requirements and application for membership, election of officers, and meetings of a local long-term care ombudsman council; provides conditions for removal of members; provides for travel expenses for members of the council; consolidates provisions relating to conflicts of interest of the ombudsman; provides rulemaking authority to the Department of Elderly Affairs regarding conflicts of interest; requires the department to adopt rules relating to procedures for receiving, investigating, and assessing complaints against long-term care facilities; deletes provisions requiring certain approval by the Secretary of Elderly Affairs and the ombudsman and the posting and distribution of copies of such procedures; provides conditions for investigations of complaints by state and local ombudsman councils; provides that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S.; deletes conditions for onsite administrative inspections; provides conditions and requirements for onsite administrative assessments of nursing homes, assisted living facilities, and adult family-care homes; prohibits forcible entry of long-term care facilities; provides that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S.; provides complaint and notification procedures for state and local councils; provides circumstances in which information relating to violations by a long-term care facility is provided to a local law enforcement agency; requires information relating to the State Long-Term Care Ombudsman Program to be provided to residents of long-term care facilities or their representatives; provides for immunity from liability for certain persons; requires long-term care facilities to provide the Office of State Long-Term Care Ombudsman and state and local councils and their members with access to the facility and the records and residents of the facility; authorizes rather than requires the department to adopt rules regarding access to facilities, records, and residents; prohibits certain actions against persons who file complaints; provides penalties; provides for oversight by and responsibilities of the department; requires the department to provide certain funding for the State Long-Term Care Ombudsman Program; requires the office to maintain a data reporting system relating to complaints about and conditions in long-term care facilities; requires the office to publish and include certain information in its annual report; provides for training of employees of the office and members of the state and local councils; requires the ombudsman to approve the curriculum and provides contents thereof; requires certification of employees by the ombudsman. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

**HB 1107 CS by Jennings, Bullard, Sansom** (Similar SB 1664, Compare CS/SB 254)

**Road Designations;** Designates Rosa Parks Memorial Highway in Marion, Alachua, and Bradford Counties; directs the Department of Transportation to erect suitable markers. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

**HB 1153 CS by Coley, Allen, Ambler, Cretul, Evers** (Similar CS/SB 1290)

**Concealed Weapons;** Provides that a concealed weapon or firearm license of a servicemember serving on military orders away from his or her residence shall not expire until 180 days after the date upon which the servicemember returns from serving on military orders; provides procedures and requirements with respect to the extension. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Military & Veteran Affairs Committee: Favorable With Committee Substitute; State Resources Council: Favorable

**HB 1193 CS by Kottkamp** (Identical CS/SB 2468)

**Driving Under the Influence;** Provides a short title; provides that, if a person drives under the influence of alcohol or a specified chemical or controlled substance and causes damage to property or person, serious bodily injury, or death to another human being or unborn quick child, a rebuttable presumption is created that the person caused or contributed to causing damage to property or person, serious bodily injury, or death to another human being or unborn quick child; provides that, if a person drives under the influence of alcohol or a specified chemical or controlled substance, a rebuttable presumption is created that the person operated a motor vehicle in a reckless manner likely to cause death or great bodily harm to another human being. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 1211 CS by Fields, Sobel** (Identical CS/CS/SB 786, Compare HB 7001)

**Notification Regarding the State Minimum Wage;** Requires an employer to display posters at worksites to notify employees about the state minimum wage; requires the Agency for Workforce Innovation to make an updated poster available each year; provides for the size and contents of the posters. Effective Date: January 1, 2007.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

**HB 1231 CS by Ausley, Bendross-Mindingall, Holloway, Sobel, Waters** (Similar CS/CS/SB 1510, Compare SB 270)

**Child Care;** Transfers authority for administration of the Teacher Education and Compensation Helps (TEACH) scholarship program from the Department of Children and Family Services to the Agency for Workforce Innovation; provides additional criteria for a child care provider to obtain and maintain Gold Seal Quality Care designation; revises the definition of the term "screening" to broaden the requirements for the screening of volunteers in child care facilities; authorizes the department or local licensing agencies to issue a provisional license or registration to a child care facility, family day care home, or large family child care home, to convert a license or registration to probation status for a violation of certain laws and rules, and to apply disciplinary actions to registered family day care homes; requires minimum safety standards for family day

care homes; provides that a provisional license or registration may not be issued unless child care personnel are screened according to law; requires the department to adopt rules for issuing, suspending, and revoking provisional licenses and registrations, establishing grounds for imposing disciplinary actions for violations of certain laws and rules, and creating a uniform system of procedures to use for disciplinary actions; provides that an increased administrative fine may be imposed in addition to or in lieu of other disciplinary actions; authorizes the provision of child care for a period longer than otherwise authorized if a parent or legal guardian works a shift of 24 hours or more. Effective Date: July 1, 2006.

Future of Florida's Families Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 1293 CS by Grant, Homan** (Similar SB 2160)

**Medical Malpractice Insurance;** Creates the Patient Safety and Provider Liability Act; requires hospitals that assume liability for acts of medical negligence under the act to carry insurance; authorizes an eligible hospital to petition the Agency for Health Care Administration to enter an order certifying the hospital as a patient-safety facility; provides requirements for certification as a patient-safety facility; authorizes the agency to enter an order certifying a hospital as a patient-safety facility and provides that the hospital bears liability for acts of medical negligence for its health care providers or an agent of the hospital; authorizes the agency to conduct onsite examinations of a licensed facility; provides circumstances when the agency may revoke its order certifying approval of an enterprise plan; requires a certified patient-safety facility to submit an annual report to the agency and the Legislature; authorizes certain teaching hospitals and eligible hospitals to petition the agency for certification; provides for limitations on damages for eligible hospitals that are certified for compliance with certain patient-safety measures. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HB 1341 by Joyner, Seiler** (Similar SB 2190)

**Fiduciary Lawyer-Client Privilege;** Provides that a client acts as a fiduciary when serving in specified positions; provides that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure; provides construction in application. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Justice Council: Favorable

**HB 1345 CS by Littlefield, Seiler** (Compare CS/CS/CS/SB 2490)

**Saltwater Fisheries;** Authorizes use of the Marine Resources Conservation Trust Fund to fund the stone crab reduction, blue crab effort management, spiny lobster trap certificate, and trap retrieval programs; requires proceeds from certain fees, fines, and penalties to be deposited in the Marine Resources Conservation Trust Fund; authorizes the Fish and Wildlife Conservation Commission to waive or defer replacement tag fees under certain circumstances; establishes certain endorsement fees for the taking of blue crabs; establishes an annual trap tag fee; authorizes the commission to waive or defer replacement tag fees under certain circumstances; requires the deposit of certain proceeds into the Marine Resources

Conservation Trust Fund; specifies the use of such proceeds; requires the commission to waive endorsement and tag fees for certain program participants; provides administrative penalties for certain violations; prohibits the unauthorized possession of trap gear or removal of trap contents and provides penalties therefor; provides penalties for certain other prohibited activities relating to traps, lines, buoys, and trap tags; provides penalties for fraudulent reports related to endorsement transfers; prohibits certain activities during endorsement suspension and revocation; preserves state jurisdiction for certain convictions; provides requirements for certain license renewal; appropriates certain fee revenues to the commission for blue crab effort management program costs; requires the commission to create an advisory board; authorizes the commission to waive or defer replacement tag fees under certain circumstances; provides administrative penalties for certain violations of the spiny lobster trap certificate program; revises provisions for certain trap retrieval programs and fees; provides a recurring appropriation. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

**HB 1357 CS by Altman** (Similar CS/SB 1194, Compare HB 683)

**Growth Management;** Provides for the creation of interlocal service boundary agreements by a county and one or more municipalities or independent special districts; specifies the procedures for initiating an agreement and responding to a proposal for agreements; requires local governments that are a party to the agreement to amend their comprehensive plans; provides limitations on the review of local ordinances by the state land planning agency; specifies those persons who may challenge a plan amendment required by the agreement; provides for adoption of an interlocal service boundary agreement; provides prerequisites to annexation; provides for the effect of an interlocal service boundary area agreement on the parties to the agreement; authorizes a municipality to provide services within an unincorporated area or territory of another municipality; authorizes a county to exercise specified powers within a municipality; provides a procedure to settle a dispute regarding an interlocal service boundary agreement; provides for a cause of action to invalidate an annexation; requires municipalities to provide notice of proposed annexation to specified persons; provides for a cause of action to invalidate an annexation. Effective Date: upon becoming a law.

Local Government Council: Favorable; Growth Management Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

**HB 1395 CS by Sorensen, Glorioso** (Similar CS/SB 224)

**Traffic Safety;** Creates the "Road Rage Reduction Act"; prohibits a person from operating a motor vehicle in the most left-hand lane under described circumstances; provides penalties for violations; redefines the term "aggressive careless driving"; provides penalties for aggressive careless driving; provides for distribution of certain fines collected; requires a hearing for a second or subsequent aggressive careless driving violation; requires the Department of Highway Safety and Motor Vehicles to provide an educational awareness campaign. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Com-

mittee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

**HB 1419 by Attkisson**

**Scuba Diving Instructional Facilities;** Provides that certain scuba diving instructional facilities are not under the jurisdiction or purview of the Commission for Independent Education and are not required to obtain licensure. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 1447 CS by Reagan** (Identical CS/SB 1112)

**Denial of Development Permits;** Requires counties and municipalities to give written notice of the decision to deny a development permit; requires that the notice include specific information; defines the term "development permit." Effective Date: October 1, 2006.

Governmental Operations Committee: Favorable With Committee Substitute; Local Government Council: Favorable With Committee Substitute; State Administration Council: Favorable With Committee Substitute

**HB 1457 CS by Lopez-Cantera** (Similar CS/SB 1398)

**Youth Custody Officers;** Provides that youth custody officers may file criminal charges and gather evidence; provides that youth custody officers have the authority and powers of law enforcement officers, subject to specified exceptions, while in the performance of their duties; requires youth custody officers to be certified as law enforcement officers. Effective Date: July 1, 2006.

Juvenile Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 1495 by Arza** (Identical SB 2536)

**Marriage Licenses;** Deletes provisions authorizing the court to issue a marriage license upon the sworn application that both minor applicants are the parents of a child or the expectant parents of a child; deletes provisions authorizing the court to issue a marriage license upon written verification by a physician and sworn application that the minor female applicant is an expectant parent; provides, as a result, that no license to marry shall be granted to any person under the age of 16 years, with or without the consent of the parents. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Future of Florida's Families Committee: Favorable; Justice Council: Favorable

**HB 1501 CS by Berfield** (Similar CS/SB 2432)

**Agent Licensing;** Authorizes travel agents to solicit and sell air ambulance transportation prepaid limited health service contracts. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; State Resources Council: Favorable

**HB 1561 CS by Brummer, Carroll, Harrell, Hays, Homan, Murzin** (Similar SB 2686)

**Medical Negligence Litigation;** Requires the Board of Medicine and the Board of Osteopathic Medicine, respectively, to issue expert witness certificates to out-of-state-licensed physicians who meet specified criteria; provides requirements for certification; requires the boards to implement rules and set fees; provides that fraudulent, deceptive, or misleading expert witness testimony is grounds for disciplinary action; provides penalties; revises criteria for prevailing professional standards of care for health care providers in specified actions; provides that medical expert testimony is not admissible unless the expert witness meets specified requirements; requires claimants in medical negligence litigation to conduct a presuit investigation of each named prospective defendant. Effective Date: October 1, 2006.

Health Care General Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HJR 1573 CS by Rubio, Altman, Murzin, Traviesa** (Similar CS/CS/CS/SJR 2170, Compare HJR 447, HJR 467, CS/SJR 1150)

**Equal Opportunity to Obtain a High Quality Education;** Proposes the creation of s. 8, Art. IX of the State Constitution to provide that every child deserves an equal opportunity to obtain a high quality education, regardless of his or her family's income, religion, or race; to provide that funding for a high quality public K-12 education through classroom instruction is fundamental; to provide that to make adequate provision for a high quality public K-12 education, the Legislature shall ensure that funding provided for public schools shall primarily be used for classroom instruction rather than administration; to provide that classroom instruction and administration shall be defined by law; to provide that students in prekindergarten through college who have disabilities, are economically disadvantaged, or meet other legislatively specified criteria may participate, as provided by law, in education programs that include nonpublic schools; to provide that the Legislature may enact and publicly fund prekindergarten through college education programs, without regard to the religious nature of any participant or nonpublic provider, notwithstanding any other provision of this Article or the last sentence of Section 3 of Article I of the State Constitution; and to provide that this amendment to the State Constitution does not establish a right to an education program that is not provided by law.

Choice & Innovation Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable With Committee Substitute

**HB 1577 by Brandenburg** (Identical SB 1964)

**Personal Identification Information;** Prohibits willful, fraudulent, and unauthorized use of personal identification information concerning an individual who is 65 years of age or older without consent; provides penalties; prohibits a person in the relationship of adult child or legal guardian, or who otherwise exercises custodial authority over an individual who is 65 years of age or older, from willfully and fraudulently using personal identification information of that individual; provides penalties. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 1623 CS by Bean, Holloway, Sobel** (Identical CS/SB 1278)

**Youth and Young Adults with Disabilities;** Provides for the creation of the Interagency Services Committee for Youth and Young Adults with Disabilities within the Agency for Persons with Disabilities; requires specified member agencies to provide staff support for the committee; provides for reimbursement of certain expenses; provides that the committee is subject to open records and meetings requirements; requires the committee to submit a report to the Governor and Legislature; provides for termination of the committee. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Fiscal Council: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 5031 by Fiscal Council, Kottkamp** (Identical CS/SB 2348)

**Operating Trust Fund;** Creates the Operating Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund; conforms provisions; directs certain fees collected by the Clerk of the Supreme Court, the trial court administrator of each circuit, and the clerk of each district court and certain fees paid to the Supreme Court by court reporters to be deposited into the trust fund in lieu of another trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5033 by Fiscal Council, Kottkamp** (Identical SB 2350)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5035 by Fiscal Council, Barreiro** (Identical SB 2340)

**Administrative Trust Fund;** Creates the Administrative Trust Fund within the Department of Corrections; provides for sources of funds and purposes; provides for annual carryforward of funds; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5037 by Fiscal Council, Barreiro** (Identical SB 2342)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the Department of Corrections; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5039 by Fiscal Council, Barreiro** (Identical SB 2344)

**Administrative Trust Fund;** Creates the Administrative Trust Fund within the Department of Law Enforcement; provides for sources of funds and purposes; provides for annual carryforward of

funds; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5041 by Fiscal Council, Barreiro** (Identical SB 2346)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the Department of Law Enforcement; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 7029 by Juvenile Justice Committee, Culp** (Identical CS/SB 1748, Compare HB 27 CS)

**Juvenile Justice;** Reorganizes ch. 985, F.S., relating to juvenile justice, to effect a technical reorganization without any substantive change to its contents for the purpose of simplifying the chapter's presentation and providing greater clarity for its users; conforms provisions. Effective Date: January 1, 2007.

Justice Council: Favorable

**HB 7077 CS by Transportation Committee, Glorioso** (Compare HB 139, HB 207, HB 301 CS, HB 683, HB 1115, HB 1117, HB 1315 CS, HB 7189 CS, HB 7253, SB 564, CS/CS/SB 954, CS/SB 1350, CS/CS/SB 1766, SB 2076, SB 2078, CS/CS/SB 2300, CS/CS/SB 2312, CS/SB 2548, CS/SB 2632, SB 2702)

**Transportation;** Provides that the salary and benefits of the executive director of the Florida Transportation Commission shall be set in accordance with the Senior Management Service; authorizes metropolitan planning organizations and certain separate entities to establish per diem and travel reimbursement rates; provides for metropolitan planning organizations to participate in the Florida Retirement System; renames the Charter County Transit System Surtax as the Charter County Transportation System Surtax; provides for approval by initiative petition; revises provisions for uses of the proceeds; deletes once-a-year limitation on use of funds from the local government infrastructure surtax for issuance of bonds; provides for a County Transportation System Surtax; provides for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; revises Department of Transportation's requirement to share a certain costs of fixed-guideway system projects; revises criteria for an interlocal agreement to establish bond financing for fixed-guideway system projects; revises provisions for the Florida Seaport Transportation and Economic Development Council program to fund certain dredging projects; provides height and placement requirements for vehicle license plates; prohibits display that obscures identification of the letters and numbers on a license plate; revises procedures for disposition of citations issued for failure to pay toll; revises penalties for failure to pay a prescribed toll; provides for suspension of a driver's license; prohibits interfering with the legibility, angular visibility, or detectability of any feature or detail on a license plate or interfering with the ability to photograph or otherwise record any feature or detail on a license plate; prohibits advertising, sale, distribution, purchase, or use of any product made for such purpose; provides for the Attorney General to file suit against any entity offering or marketing a product advertised as having the capacity to obstruct the visibility or electronic image recording of a license plate; revises provisions

for distribution of revenue derived from registration of motor vehicles; revises provisions for distribution for purposes of funding certain seaport projects; removes certain restrictions on the issuance of bonds to refinance certain existing port bond issues; requires refunding bonds be issued by the Division of Bond Finance at the request of the Department of Transportation; specifies projects and criteria for funding; authorizes use of funds for certain financing purposes; authorizes DOT to provide funds for certain general aviation projects; extends timeframe that the department is authorized to provide operational and maintenance assistance to certain airports and may redirect the use of certain funds to security-related or economic-impact projects related to the events of September 11, 2001; adds gypsum to the list of materials authorized for use in certain demonstration projects; renames the Safe Paths to Schools program as the "Safe Routes to Schools Program"; revises requirements of the program; authorizes a clearinghouse to disseminate information and grants; provides for use of certain federal funds; deletes prohibition against local governments issuing certain bonds secured by revenues from local option fuel taxes more than once a year; provides criteria and procedures for the owner of property within a described road and bridge district to sever inclusion within the district; provides that certain construction projects be advertised for bids in local newspapers; authorizes the department to waive specified prequalification requirements for certain transportation projects under certain conditions; revises surety bond requirements for construction or maintenance contracts; provides for incremental annual surety bonds for multiyear maintenance contracts under certain conditions; revises the threshold for transportation projects eligible for a waiver of surety bond requirements; authorizes the department to provide for phased surety bond coverage or an alternate means of security for a portion of the contract amount in lieu of the surety bond; provides for the DOT and certain toll agencies to enter into agreements with public or private entities for additional uses of electronic toll collection products and services; authorizes feasibility studies by the department or a toll agency of additional uses of electronic toll devices for legislative consideration; changes the carry forward date on certain undisbursed Florida Turnpike Enterprise funds; revises the maximum amount that may be carried forward; raising the limit on outstanding bonds to fund turnpike projects; revises metropolitan planning organization is a separate legal entity independent of entities represented on the M.P.O. and signatories to the agreement creating the M.P.O.; revises M.P.O. provisions relating to organization and membership; revises voting requirements for approval of certain plans, programs, and amendments; revises limitations on matching funds from the Transportation Regional Incentive Program; deletes a provision that provides for matching funds based on the nonfederal share of certain transportation facility project costs; provides certain incentives for certain private sector contributions to improve transportation facilities; provides for the contribution to be applied as a credit against transportation concurrency requirements; provides for use of State Infrastructure Bank loans for certain damaged transportation facilities in areas of a declared disaster; revises language relating to powers and duties of the South Florida Regional Transportation Authority; provides pledge to bondholders; revises provisions for funding of the authority; changes the name of the Tampa Bay Commuter Transit Authority to the "Tampa Bay Regional Transportation Authority"; revises membership provisions; adds Citrus County to the authority's jurisdictional boundary; provides for employees and advisory committees; specifies purposes of the authority; revises rights, powers and duties; authorizes the authority to construct, operate, and maintain transportation facilities; provides for application and effect of specified provisions; prohibits elected officials from serving on the Northwest Florida Transportation Corridor Authority; directs the

authority to plan for and study the feasibility of constructing, operating, and maintaining a bridge or bridges, and appurtenant structures, spanning Choctawhatchee Bay or Santa Rosa Sound; authorizes the authority to construct, operate, and maintain said bridges and structures; revises the membership of expressway authority governing boards in certain counties; prohibits certain expressway authorities from contracting for lobbyist services; provides for public notice of a proposed toll increase by certain expressway authorities; authorizes a transportation authority, bridge authority, or toll authority to receive or solicit proposals and enter into agreements with private entities for certain transportation facility purposes; revises provisions for certain exemptions from the Florida Expressway Authority Act; authorizes the Orlando-Orange County Expressway Authority to waive payment and performance bonds on certain construction contracts; creates the "Osceola County Expressway Authority Law"; provides for membership, terms, organization, personnel, and administration; provides purposes and powers for construction, expansion, maintenance, improvement, and operation of the Osceola County Expressway System; directs the Florida Transportation Commission to conduct a study and to submit a report to the Governor and the Legislature; provides that certain property that is owned or leased by a railroad or railway company is not required to meet specified posting provisions in order for specified trespass provisions to apply; provides for certain alterations to and along Red Road in Miami-Dade County for transportation safety purposes; designates Brickell Avenue in the City of Miami; directs the city to make related address changes. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

**HB 7081 CS by Governmental Operations Committee, Rivera, Bogdanoff** (Identical CS/CS/SB 262)

**Administrative Procedures;** Revises various provisions relating to administrative procedures; revises duties of the Administrative Procedures Committee with respect to its review of statutes; redefines the term "small business party" to include certain specified individuals whose net worth does not exceed a specified amount; requires an agency to file a notice of change with the Administrative Procedures Committee; revises times for filing rules for adoption; provides an exception to the term "administrative determination" for purposes of rule adoption; provides for the form and provisions of bonds; provides additional content for uniform rules; requires that certain information be included in forms incorporated by reference in rules; requires information to be published electronically on an Internet website; provides that such publication does not preclude other publications; provides additional duties of the Department of State with respect to publications; provides requirements for the Internet website; revises provisions relating to withdrawal of challenged rules; provides for equitable tolling as a defense to the untimely filing of a petition; requires a final order to include an explicit ruling on each exception to the recommended order; requires that additional information be included in notices relating to protests of contract solicitations or awards; requires the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; requires agency reports to be filed with the Administrative Procedures Committee; requires that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requires the Department of State to provide certain assistance to agencies in their transition to

publishing on the Florida Administrative Weekly Internet website. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable; State Administration Council: Favorable With Committee Substitute

**HB 7083 CS by Future of Florida's Families Committee, Galvano** (Similar SB 1850, Compare HB 619 CS, CS/SB 1034, CS/CS/SB 1286)

**Programs of the Department of Children and Family Services;** Deletes repeal of the Commission on Marriage and Family Support Initiatives; directs the Department of Children and Family Services to advise the Legislature when the commission ceases to be essential; requires service provider personnel who request an exemption from disqualification to submit the request within a certain time after notification of the disqualification; requires a service provider to comply with the provisions of s. 435.06, F.S.; deletes a provision requiring immediate dismissal of service provider personnel upon disapproval of a request for an exemption; prohibits the department from issuing a regular license to a service provider that fails to provide proof that background screening information has been submitted; repeals s. 3, ch. 2003-279, Laws of Florida, to abrogate the repeal of s. 20.19(2)(c) and (4)(b)6. and 8., F.S., relating to the appointment of certain mental health and substance abuse positions and the establishment of program offices for mental health and substance abuse; provides that a mental health counselor or marriage and family therapist may execute a certificate for involuntary examination and deem a services treatment plan clinically appropriate for an involuntary outpatient placement; requires that documentation of any evaluation performed by a mental health counselor or marriage and family therapist be provided when a patient is ordered for involuntary inpatient placement. Effective Date: upon becoming a law.

Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 7099 CS by Judiciary Committee, Simmons** (Identical CS/SB 1956)

**Land Trusts;** Revises provisions relating to land trust transfers of real property and vesting of ownership in a trustee; deletes a requirement that a trustee be qualified to act as a fiduciary; specifies rights, liabilities, and duties of land trust beneficiaries; provides that the principal residence of a beneficiary which is held in a land trust is entitled to the homestead tax exemption; provides for the appointment of successor trustees; provides requirements for declarations of appointment; provides that a trustee of a land trust may be a creditor of the trust or of a trust beneficiary; provides application. Effective Date: October 1, 2006.

Civil Justice Committee: Favorable; Finance & Tax Committee: Favorable With Committee Substitute; Justice Council: Favorable

**HB 7135 by Criminal Justice Committee, Kravitz** (Identical SB 1386)

**Youthful Offenders;** Deletes a provision limiting certain sentencing options available to the court following a violation of the conditions of probation by a youthful offender. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7155 by Governmental Operations Committee, Rivera**  
(Similar CS/SB 1670, Compare HB 1251 CS)

**State Financial Matters;** Revises the method for calculating interest on certain moneys transferred between retirement accounts; provides for credit for military service of members of the Public Employee Optional Retirement Program; prescribes procedures to follow if a participant in the Public Employee Optional Retirement Program receives an invalid distribution; revises standards for determining eligibility of specified savings accounts, certificates of deposit, time drafts, bills of exchange, bonds, notes, and other instruments for investment by the State Board of Administration. Effective Date: July 1, 2006.

State Administration Council: Favorable

**HB 7157 by Economic Development, Trade & Banking Committee, Bilirakis, Gottlieb** (Compare HB 45 CS, CS/CS/SB 80)

**Fraudulent Use or Possession of Identifying Information;** Creates pt. IV of ch. 668, F.S., the Anti-Phishing Act; prohibits specified acts relating to fraudulent use or possession of identifying information; authorizes civil actions for violations; provides for injunctive relief and damages; authorizes courts to increase awards of actual damages; provides for recovery of attorney fees and court costs; provides for jurisdiction and venue; provides for deposit of specified moneys received by the Attorney General into the Legal Affairs Revolving Trust Fund; authorizes the Department of Legal Affairs to adopt rules; provides for nonapplication to specified entities' good faith handling of identifying information; specifies absence of liability of an interactive computer service provider for actions taken to prevent violations of the act. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Commerce Council: Favorable

**HJR 7165 CS by Judiciary Committee, Simmons, Troutman**  
(Similar CS/SJR 1918)

**Obsolete, Erroneous, and Inconsistent Provisions; Preservation of Certain Constitutional Provisions as Statutes;** Proposes a revision of the whole State Constitution to delete obsolete provisions and correct errors in spelling, punctuation, and grammar, inconsistencies in wording and style, and other technical issues and to repeal specified provisions and preserve them in statute.

Justice Council: Favorable With Committee Substitute

**HB 7169 by Juvenile Justice Committee, Culp** (Compare HB 335 CS)

**Juvenile Justice Pilot Program;** Creates a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents; provides definitions; provides program's purpose; requires the Department of Juvenile Justice to develop implementation procedures and to publish specified information about commitment programs on its website; provides procedures for the selection of commitment programs by courts; requires evaluation and reports by the Office of Program Policy and Government Accountability; specifies department and court responsibilities relating to the reports; provides for future repeal. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7171 CS by Choice & Innovation Committee, Legg, Arza, Cannon, Sansom, Stargel** (Similar HB 135, Compare CS/CS/CS/SB 1030, SB 2596)

**Charter Schools;** Establishes the Florida Schools of Excellence Commission as a charter school authorizing entity; provides powers and duties of the commission, including serving as a sponsor of charter schools, approving certain entities to act as cosponsors, approving or denying applications for Florida Schools of Excellence (FSE) charter schools, and developing standards for and evaluating the performance of cosponsors and charter schools; requires collaboration with municipalities, state universities, community colleges, and regional educational consortia as cosponsors for FSE charter schools; provides causes for revocation of approval of a cosponsor; provides for FSE charter school application and review procedures; authorizes existing charter schools to apply as FSE charter schools; provides for application of specified provisions of law; provides that the sponsor of a charter school shall not be liable for civil damages for certain actions; provides that the duty to monitor a charter school shall not be the basis for a private cause of action; prescribes limits on immunities of a charter school sponsor; provides requirements with respect to the right to appeal the denial of a charter school application; expands a school district's immunity from assumption of contractual debts; provides appropriations and authorizes positions. Effective Date: July 1, 2006.

Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 7179 by Finance & Tax Committee, Brummer** (Similar SB 1198)

**Corporate Income Tax;** Provides for the adoption of the 2006 version of the Internal Revenue Code; provides for retroactive operation. Effective Date: upon becoming a law and shall operate retroactively to January 1, 2006.

Fiscal Council: Favorable

**HB 7197 by State Administration Appropriations Committee, Berfield** (Similar CS/CS/SB 1678)

**Governmental Operations;** Provides legislative intent that all costs of providing a regulatory service or regulating a profession or business be borne solely by those who receive the service or who are subject to regulation; requires each state agency to annually examine the fees it charges for providing regulatory services and oversight to businesses or professions; provides criteria for the examination; requires, under specified circumstances, that each agency, as part of its legislative budget request, provide to the Governor and the Legislature alternatives to make a regulatory service or program self-sufficient or provide justification for a partial subsidy from other state funds; requires periodic review of regulatory fees by the Legislature. Effective Date: July 1, 2006.

Fiscal Council: Favorable

**HB 7203 CS by Health Care Regulation Committee, Garcia, Sobel** (Similar HB 783 CS, CS/SB 382, Compare CS/CS/SB 1324)

**Wellness Programs;** Requires the Department of Health to collaborate with other state agencies in developing policies and strategies to prevent and treat obesity which shall be incorporated into agency programs; requires the department to advise health care practitioners regarding morbidity, mortality, and costs associated with the condition of being overweight or obese and to inform them about clinical best practices for obesity prevention and treatment and encourage them to counsel their patients regarding the adoption of healthy lifestyles; defines the term "aged-based and gender-based benefits" for purposes of the state group insurance program; creates the Florida State Employee Wellness Council within the Department of Management Services; provides for membership; provides for reimbursement of per diem and travel expenses; provides purpose and duties of the council. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HB 7207 by Agriculture & Environment Appropriations Committee, Mayfield** (Compare SB 2484)

**Water Management Districts;** Provides that a water management district's millage rate is subject to annual authorization by the Legislature; requires the Legislature to annually review a district's millage rate; requires the Legislature to annually set the amount of revenue authorized to be raised by a district from ad valorem taxes; provides for the amount of authorized revenue to be raised by a district if the Legislature does not set the amount by a specified date; revises the beginning and ending dates of a districts' fiscal year; revises the date by which a district must submit a tentative budget to the Governor and the Legislature; eliminates the authorization for the Legislature to comment on such budgets; eliminates the requirement for districts to respond to such comments and to forward such responses to the Governor and Legislature; revises the date by which the Executive Office of the Governor must file a

specified report with the Legislature; directs districts to implement conforming measures. Effective Date: July 1, 2007.

State Resources Council: Favorable; Fiscal Council: Favorable

**HB 7223 CS by Governmental Operations Committee, Rivera** (Identical SB 512)

**Review under the Open Government Sunset Review Act regarding Medical Records and Health Records;** Removes the October 2, 2006, repeal scheduled under the Open Government Sunset Review Act for an exemption from public records requirements for personal identifying information, bank account numbers, and debit, charge, and credit card numbers contained in certain records held by the Department of Health which relate to an individual's personal health or eligibility for health services; removes the exemption for bank account numbers and debit, charge, and credit card numbers contained in such records. Effective Date: October 1, 2006.

State Administration Council: Favorable With Committee Substitute

**HB 7243 by Governmental Operations Committee, Rivera** (Similar CS/SB 1438)

**Custodial Requirements for Public Records;** Organizes provisions relating to the maintenance, preservation, and retention of public records and the custodial requirements for confidential and exempt records; provides requirements with respect to the authority of a custodian of a public record to release the record; provides requirements with respect to retention of confidential and exempt records by an agency or other governmental entity; authorizes a custodian of confidential and exempt records to require an agency or other governmental entity authorized to receive such record to acknowledge in writing the confidential and exempt status of such record; specifies that the act does not limit access to any record by an agency or entity acting on behalf of a custodian of public records, the Legislature, or pursuant to court order. Effective Date: July 1, 2006.

State Administration Council: Favorable



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